

EXHIBIT C.32

(1 of 2)

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK

4 -----X
5 MOSHE SAPERSTEIN; RACHEL SAPERSTEIN;
6 AVI ITZHAK SAPERSTEIN; TAMAR SAPERSTEIN;
7 DAFNA SAPERSTEIN; the ESTATE of
8 AHUVA AMERGI, by and through RAFI AMERGI,
9 As Administrator, Executor and/or Personal
10 Representative, RAFI AMERGI, individually,
11 minor; and EFRAIM AMERGI, minor; DAN
12 DAVIDOVIC; JUDITH DAVIDOVIC; ELIEZER
13 DAVIDOVIC; ARIEL DAVIDOVIC; and
14 SARAH ZWEIG,

15 PLAINTIFFS,

16 -against-

Case No:
04-CV-20225

17 THE PALESTINIAN AUTHORITY; THE PALESTINE
18 LIBERATION ORGANIZATION; THE PALESTINIAN
19 PREVENTATIVE SECURITY SERVICES; THE ESTATE
20 OF YASSER ARAFAT; YASSER MAHMUD ALKATIVE;
21 NIZHAR D'HLIS; and NAIM MUTZAN,

22 DEFENDANTS.

23 -----X
24 DATE: April 1, 2009
25 TIME: 12:19 p.m.

TRANSCRIPTION OF AUDIO CD OF

DEPOSITION of the Defendant, THE
PALESTINIAN AUTHORITY, by a Witness,
HUSSEIN AL SHEIKH, held in Jerusalem,
Israel.

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2 A P P E A R A N C E S:

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4 BERKMAN LAW OFFICE, LLC.
5 Attorneys for Plaintiffs
6 MOCHE SAPERSTEIN & RACHEL SAPERSTEIN
7 111 Livingston Street
8 Brooklyn, New York 11201
9 BY: ROBERT J. TOLCHIN, ESQ.

7

8 PLAINTIFF'S ISRAELI COUNCIL
9 MORDECHAI LALLER, ESQ.
10 AVI HAR ZAHAV, ESQ.
11 AVI LEITNER, ESQ.

10

11 MILLER & CHEVALIER CHARTERED
12 Attorneys for Defendant
13 THE PALESTINIAN AUTHORITY
14 655 15th Street NW
15 Suite 900
16 Washington, DC 20005-6701
17 BY: RICHARD A. HIBEY &
18 CHARLES F.B. MCALEER, JR.

15

16 OSAMA SAADI, ESQ.
17 PERSONAL COUNSEL FOR
18 HUSSEIN AL SHEIKH

18

19 AMY GITLIN, COMMISSIONER
20 Nahal Katlav
21 7/3 Beit Shemesh
22 Jerusalem, Israel

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2 ALSO PRESENT:

3 OFFICE OF MORDECHAI LALLER, ESQ.,
4 LEVI HALLER

5 MOSHE SAPERSTEIN & RACHEL SAPERSTEIN,
6 PLAINTIFFS

7 TRANSLATOR, AMAL SHEHADEH

8 TRANSLATOR FOR DEFENDANT'S COUNCIL,
9 GEORGE NAZOU

10 AUDIO, VIDEO TEAM,
11 MIRI AHARON, SHIMON DEN AVI

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COMMISSIONER GITLIN: This is the Commissioner speaking. My name is Amy Gitlin. My business address is Nahal Katlav, 7/3 Beit Shemesh, Israel.

This deposition is being conducted, beginning at 12:19 p.m. on April 1, 2009, in Jerusalem, Israel. The deponent's name is Hussein Al Sheikh.

Attending this deposition are Defendant's counsel, Richard Hibey, Charles F.B. McAleer, personal counsel to the witness Osama Saadi; translator for Defendant's counsel, George Nazou. Plaintiff's counsel, Robert Tolchin; Plaintiff Israeli Counsel Mordechai Haller, Avi Har Zahav.

From the Office of Plaintiff's Israeli counsel, Avi Leitner. From the Office of Mordechai Haller, staff member Levi Haller; the Plaintiffs Moshe Saperstein and Rachel

1 HUSSEIN AL SHEIKH

2 Saperstein; the translator Amal

3 Shehadeh; the audio-video team Miri

4 Aharon, Shimon Ben Avi.

5 H U S S E I N A L S H E I K H, called
6 as a witness, having been first duly sworn
7 by the Commissioner, was examined and
8 testified as follows:

9 EXAMINATION BY

10 MR. TOLCHIN:

11 Q. Please state your name for the
12 record.

13 A. Hussein Al Sheikh.

14 Q. Sir, did you show any form of
15 identification to the Commissioner?

16 A. (Translator.) To who?

17 Q. To the Commissioner.

18 A. (Translator.) All of my
19 identification is with the lawyer.

20 Q. Which lawyer?

21 A. (Translator.) Osama Saadi.

22 Q. You gave your identification to
23 your lawyer?

24 A. (Translator.) Of course.

25 Q. Do you generally have your

1 HUSSEIN AL SHEIKH

2 lawyer carry your identification for you,
3 or is that something you did specifically
4 for today's deposition?

5 A. (Translator.) If you mean by
6 identification details, papers, the lawyers
7 have it, but I also have my own
8 identification.

9 Q. I understand.
10 Do you have some form of
11 identification with you today, so that I
12 can verify who you are?

13 A. (Translator interprets
14 question.)

15 MR. HIBEY: Perhaps it would
16 help if we stipulated or certified to
17 you that this is the witness Hussein
18 Al Sheikh.

19 MR. TOLCHIN: Can I see his ID?
20 As much faith as I put in the
21 certification, I would like to see
22 the identification because I don't
23 know the gentleman.

24 MR. HIBEY: And you are not
25 prepared to accept my representation

1 HUSSEIN AL SHEIKH

2 that this is the gentleman --

3 MR. TOLCHIN: Did you check his
4 ID?

5 MR. HIBEY: -- that you have
6 cause to appear in this proceeding.

7 MR. TOLCHIN: Tell me whether
8 you checked his ID.

9 MR. HIBEY: No, I have not.

10 MR. TOLCHIN: Then I'd like to
11 see his identification, with all due
12 respect.

13 Is it a problem?

14 MR. HIBEY: Yes, it is. I find
15 it completely offensive.

16 MR. TOLCHIN: I don't
17 understand how the Commissioner can
18 swear in a witness without any
19 identification. The witness doesn't
20 know him, you've never checked his
21 ID.

22 MR. HIBEY: But you know me.

23 MR. TOLCHIN: But I don't know
24 you.

25 MR. HIBEY: You know me, and as

1 HUSSEIN AL SHEIKH
2 an Officer of the Court, I am
3 representing to you that this is the
4 witness, Hussein Al Sheikh.

5 Q. What form of identification do
6 you have with you today?

7 THE TRANSLATOR: Can I --

8 MR. TOLCHIN: Sure.

9 THE TRANSLATOR: -- or just the
10 question?

11 MR. TOLCHIN: Just the
12 question, unless they want you
13 to translate more.

14 MR. HIBEY: I think you guys --
15 he has to understand the colloquy
16 that's going on.

17 MR. TOLCHIN: Okay, so
18 translate the colloquy to him.

19 A. (Translator interpreting
20 colloquy.) I have no problem showing my
21 identification card. I have it with my
22 driver outside.

23 Q. When he says outside, what does
24 he mean? Outside the room or in the
25 parking lot?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) Outside.

3 Q. It will just take you one
4 minute to get it?

5 A. (Translator.) Should I go out
6 to bring it or should my escort bring it
7 in?

8 Q. Whatever's faster.

9 A. (Translator interpreting
10 question.)

11 MR. TOLCHIN: He's asking if we
12 should pause, and I've explained to
13 him that if he pauses then she has to
14 read the times again, so it's better
15 just to let it run.

16 UNIDENTIFIED SPEAKER: In the
17 future, if there's any dialogue here,
18 I'd like to have it translated,
19 please.

20 MR. TOLCHIN: The problem is
21 she's the Arabic translator.

22 THE TRANSLATOR: I can
23 translate that part.

24 MR. TOLCHIN: Answer it; I
25 don't know who he is calling.

1 HUSSEIN AL SHEIKH

2 (Whereupon, an off-the-record
3 discussion was held.)

4 MR. HIBEY: Back on the record.
5 Let the record reflect that the
6 witness has produced his identity
7 card.

8 I'd like to have that document
9 back now.

10 MR. TOLCHIN: I just want to
11 copy down the number and the name.
12 That's all.

13 MR. HIBEY: You've got the
14 name. You purported to now know or
15 confirm his identity. Now you have
16 confirmed it, the identity of the
17 names and the identity of the
18 persons. I'd like to have this thing
19 turned over.

20 You are now extracting
21 information outside of the request
22 that you made, and it is improper.

23 Just turn this thing over, Mr.
24 Tolchin. Mr. Tolchin, do you hear
25 me? Mr. Tolchin.

1 HUSSEIN AL SHEIKH

2 MR. TOLCHIN: Yes.

3 MR. HIBEY: I'm telling you
4 that what you are doing is invading
5 now the privacy of this man beyond
6 what is appropriate.

7 MR. TOLCHIN: Under what rule?

8 MR. HIBEY: You sought to
9 confirm his identity. You've got it.
10 Now turn it back over to us, would
11 you, please?

12 MR. TOLCHIN: Don't raise your
13 voice, don't point a finger. There
14 is no secret if we copy --

15 MR. HIBEY: I am not raising my
16 voice. I'm simply telling you that
17 that is improper.

18 MR. TOLCHIN: There's no secret
19 if we copy -- under what rule is it
20 improper? Don't make things up.

21 MR. HIBEY: You needed to have
22 his identification confirmed, you've
23 done it.

24 MR. TOLCHIN: Fine.

25 Q. Sir, what is your full name?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) Hussein Shahada
3 Muhammad Sheikh.

4 Q. What I'm going to ask --
5 because I see what's happening -- is I'm
6 going to give a blank piece of paper to the
7 interpreter. The problem we're going to
8 have, when we get the transcript, is that
9 all the names, which are in Arabic, are
10 going to come out with unintelligible,
11 garbled spellings.

12 So what I would like to suggest
13 we do is either give the interpreter, or
14 perhaps even the witness, a paper, and just
15 whatever name, whatever Arabic name is
16 said, if one of them could just write it
17 down. I don't care if it's in English or
18 in Arabic or whatever, just so that we have
19 some proper spelling, and that way we will
20 be able to make sure that the transcript is
21 consistent and correct.

22 MR. TOLCHIN: Is that a
23 problem, Mr. Hibey?

24 MR. HIBEY: No, I think it
25 should be the job of the translator.

1 HUSSEIN AL SHEIKH

2 MR. TOLCHIN: Okay, fair
3 enough.

4 A. (Translator interpreting
5 request.)

6 THE TRANSLATOR: Write now,
7 that name.

8 MR. TOLCHIN: Yes, if you write
9 in Arabic, that's fine. It's
10 probably the best official spelling.

11 Q. Sir, are you known by any other
12 names?

13 A. (Translator.) No.

14 Q. Are you known by any nicknames?

15 A. (Translator.) I'm called by my
16 son, I'm called by my son's name Abu Jihad.

17 Q. That's because your son's name
18 is Jihad?

19 A. (Translator.) Yes.

20 Q. And Abu Jihad means "Father of
21 Jihad"?

22 A. (Translator.) My son is Jihad.

23 Q. Do you have what is called a
24 nom de guerre?

25 MR. HIBEY: Objection to the

1 HUSSEIN AL SHEIKH

2 form.

3 A. (Translator.) I don't
4 understand.

5 Q. That's okay.

6 For example, Yasser Arafat was
7 known as Abul Hamas, right?

8 A. (Translator interprets
9 question.)

10 Q. Do you have a name of that
11 type?

12 A. (Translator.) No, I don't have
13 that.

14 Q. Where were you born, sir?

15 A. In Ramallah.

16 Q. Where did you grow up?

17 A. (Translator.) In Ramallah.

18 Q. Can you summarize your
19 education?

20 A. (Translator.) I studied at
21 Ramallah schools and I received a diploma
22 from Al Quds University.

23 Q. What is Al Quds University? Al
24 Quds University, what is that?

25 A. (Translator.) The University

1 HUSSEIN AL SHEIKH

2 of Abu Dis.

3 Q. And the Ramallah schools that
4 you attended, are you referring to
5 elementary school and high school?

6 A. (Translator.) Yes.

7 Q. The university that you
8 attended, what did you receive a degree in?

9 A. (Translator.) In political
10 science.

11 Q. And that was a university level
12 degree?

13 A. (Translator.) Yes.

14 Q. How old were you when you
15 received that degree?

16 A. (Translator interpreting
17 question.)

18 Q. Approximately.

19 A. (Translator.) Approximately
20 35.

21 Q. So apparently you did not go
22 straight from high school to university; is
23 that correct?

24 A. (Translator.) You mean that
25 there was a period that there was no study?

1 HUSSEIN AL SHEIKH

2 Q. How old were you when you
3 finished High School?

4 A. (Translator.) Eighteen.

5 Q. How old were you when you
6 started University?

7 A. (Translator.) About 33, 34.

8 Q. Between the age of 18 until 33,
9 34, were you involved in any education,
10 formal education?

11 A. (Translator.) No.

12 Q. What were you doing during
13 those years?

14 A. (Translator.) From the age of
15 18, I was in prison.

16 Q. How many times have you been in
17 prison?

18 A. (Translator.) Only once.

19 Q. Why were you in prison?

20 A. (Translator.) Because I
21 belonged to the PLO.

22 MR. TOLCHIN: So we agree that
23 PLO is sufficient?

24 MR. HIBEY: Yes.

25 MR. TOLCHIN: Yes?

1 HUSSEIN AL SHEIKH

2 MR. HIBEY: Yes.

3 Q. Were you convicted of a
4 particular crime?

5 A. (Translator.) What do you mean
6 by crime?

7 Q. Before you went to prison, were
8 you charged with something in a Court?

9 A. (Translator.) I was committed
10 for belonging to the PLO.

11 Q. Which Court convicted you and
12 sent you to prison?

13 A. (Translator.) A military Court
14 at Ramallah.

15 Q. What was the sentence that was
16 imposed?

17 A. (Translator.) Ten years.

18 Q. Was the conviction merely for
19 belonging to the organization, or had you
20 done something that brought about the
21 conviction?

22 MR. McALEER: Object to the
23 form.

24 MR. HIBEY: Objection.

25 MR. TOLCHIN: What's wrong with

1 HUSSEIN AL SHEIKH

2 the form?

3 MR. McALEER: I object to the
4 form.

5 Q. You can answer my question if
6 you can.

7 THE TRANSLATOR: Could you
8 repeat the question?

9 Q. Was your conviction simply for
10 belonging to the PLO or did you do
11 something that brought about the other
12 charges against you?

13 A. (Translator interpreting
14 question.)

15 MR. HIBEY: I object to the
16 form. The first part of the question
17 I think is perfectly acceptable, if
18 you want to put that to him.

19 But the second part is, for
20 what have you been convicted as
21 opposed to for what did you do.

22 MR. TOLCHIN: I'll try it your
23 way and see where that goes.

24 Q. Sir, do you know specifically,
25 formally, what were the charges against

1 HUSSEIN AL SHEIKH

2 you?

3 A. (Translator.) The main
4 accusation was belonging to the PLO.

5 Q. Were there any additional
6 claims besides the main claims, as you
7 called it?

8 A. (Translator.) Field action
9 activities.

10 Q. What do you mean by field
11 activities?

12 A. (Translator.) Strikes and
13 going out in demonstration.

14 Q. What do you mean by strikes?

15 A. (Translator.) Strikes and
16 demonstrations against occupation, Israeli
17 occupation.

18 Q. What I'm trying to clarify --
19 it might be just because of the language
20 barrier -- when you say strikes, a strike
21 can be someone who hits you, or a strike
22 can be everybody stops working. Which word
23 is it that he used?

24 THE TRANSLATOR: You're asking
25 as in --

1 HUSSEIN AL SHEIKH

2 MR. TOLCHIN: Yes, which word
3 is it that he used?

4 THE TRANSLATOR: Not "strike"
5 hit, but "strike" stop working.

6 MR. TOLCHIN: Not working?

7 THE TRANSLATOR: Yes.

8 Q. So what did you have to do with
9 strikes that led to a conviction?

10 A. (Translator.) I don't
11 understand the question.

12 Q. You said the charges against
13 you had something to do with strikes.

14 A. (Translator.) It was not
15 something violent.

16 Q. What was it claimed that you
17 did?

18 A. (Translator.) That I was
19 inciting the Palestinian people against the
20 occupation.

21 Q. What were the charges about
22 demonstrations? You said the charges
23 included something to do with
24 demonstrations. I want to find out the
25 details about them.

1 HUSSEIN AL SHEIKH

2 A. (Translator.) Yes, I
3 participated in the demonstrations.

4 Q. Did any of the demonstrations
5 involve any form of violence?

6 A. (Translator.) Of course not.

7 Q. Did any of the charges against
8 you that led to your time in prison involve
9 any form of violence?

10 A. (Translator.) No.

11 Q. Were you one of the people that
12 organized the strikes and demonstrations?

13 A. (Translator.) Yes.

14 Q. So you were one of the leaders
15 of the strikes and demonstrations; is that
16 correct?

17 A. (Translator.) What leaders? I
18 was only 17 years old.

19 Q. Were you one of the leaders of
20 the strikes and demonstrations even though
21 you were only 17 years old?

22 A. (Translator.) I was a
23 Palestinian citizen and a student as well.

24 Q. Have you ever been involved in
25 any of the resistance operations --

1 HUSSEIN AL SHEIKH

2 A. (Translator interpreting
3 question.)

4 Q. I haven't finished the
5 question. I didn't finish the question.

6 THE TRANSLATOR: Oh, sorry.

7 Q. Have you ever been involved in
8 any resistance operations that involved
9 violence?

10 A. (Translator.) Of course not.

11 Q. Besides the arrest when you
12 were 17 that led to your time in prison,
13 have you ever been arrested?

14 A. (Translator.) No.

15 Q. Have you ever received any --
16 withdrawn.

17 Have you ever been in any form
18 of administrative detention?

19 A. (Translator.) No.

20 Q. Have you ever received training
21 in the use of any form of weapons?

22 A. (Translator.) No.

23 Q. Other than Arabic, do you speak
24 any other languages?

25 A. (Translator.) I speak Hebrew.

1 HUSSEIN AL SHEIKH

2 Q. Do you speak English?

3 A. (Translator.) Very little.

4 Q. How would you describe the
5 level of Hebrew that you speak?

6 A. (Translator.) Medium.

7 Q. Do you read and write Hebrew as
8 well?

9 A. (Translator.) Yes.

10 Q. When did you learn Hebrew?

11 A. (Translator.) At prison.

12 Q. Have you been interviewed on
13 Israeli radio and television in Hebrew?

14 A. (Translator.) Many times.

15 Q. That was directly in Hebrew,
16 not with an interpreter?

17 A. (Translator.) In Hebrew, yes.

18 Q. You went to prison at age 18.
19 How old were you when you got out of
20 prison?

21 A. (Translator.) Twenty-eight.

22 Q. Then you said that you started
23 University when you were about 30; is that
24 correct?

25 A. (Translator.) Thirty-three,

1 HUSSEIN AL SHEIKH

2 34, something like around that.

3 Q. So between the time that you
4 came out of prison, when you were about 28,
5 until you started university, when you were
6 about 33 or 34, what were you doing with
7 yourself?

8 A. (Translator.) I used to work
9 with my father.

10 Q. What kind of work was that?

11 A. (Translator.) My father is --
12 was a commercer and he used to export -- he
13 was a businessman. He used to import food
14 products.

15 Q. Was your employment with your
16 father your first real job?

17 A. (Translator.) Yes.

18 Q. What was your father's name?

19 A. (Translator.) Shehadeh.

20 Q. Was there a company that you
21 worked for, or was it just working with
22 him?

23 A. (Translator.) All the work was
24 for my father.

25 Q. I'm not sure I understand that

1 HUSSEIN AL SHEIKH

2 answer.

3 MR. TOLCHIN: He was employed
4 directly with his father or he was
5 employed by his father's company?

6 A. (Translator.) Through my
7 father directly.

8 Q. What was your job?

9 A. (Translator.) What, working
10 with my father?

11 Q. Correct.

12 A. (Translator.) I used to help
13 him with selling and buying.

14 Q. How long did you continue
15 working for your father?

16 A. (Translator.) I continued
17 working with him until the establishment of
18 the Authority.

19 Q. That was 1993 or '94?

20 THE TRANSLATOR: He said
21 Authority, and he corrected me and
22 said Palestinian Authority. I know
23 that it means Palestinian Authority,
24 but he didn't say Palestinian.

25 Q. So when you said the

1 HUSSEIN AL SHEIKH

2 establishment of the Authority, what are
3 you referring to?

4 A. (Translator.) I mean in '94.

5 Q. The Authority that you are
6 referring is the Palestinian Authority?

7 A. (Translator.) The Palestinian
8 National Authority.

9 Q. Is the Palestinian Authority
10 and the Palestinian National Authority one
11 and the same thing?

12 A. (Translator.) Yes.

13 Q. That was something that came
14 about as a result of the OSLO Accords,
15 correct?

16 A. (Translator.) Yes.

17 Q. How old were you at the time of
18 the establishment of the Authority?

19 A. (Translator.) In '94, about
20 34.

21 Q. At what point did you start
22 studying in the University? Was that
23 before or after the Authority?

24 A. (Translator.) After the
25 establishment.

1 HUSSEIN AL SHEIKH

2 Q. From what age to what age were
3 you studying in the university?

4 A. (Translator.) From the age of
5 34, 35, to the age of 36.

6 Q. At the time that you were
7 attending University, were you also
8 working?

9 A. (Translator.) Yes.

10 Q. Were you working for your
11 father or for somebody else?

12 A. (Translator.) In what year?

13 Q. During the time that you were
14 in the University.

15 A. (Translator.) I was at the
16 Palestinian Authority.

17 Q. Let me clarify. You stopped
18 working for your father and you started at
19 the university, and you started working for
20 the Palestinian Authority at the same time;
21 is that correct?

22 A. (Translator.) Yes.

23 Q. In what capacity were you
24 working for the Palestinian Authority?

25 A. (Translator.) At the beginning

1 HUSSEIN AL SHEIKH

2 of the establishment of the Authority, I
3 was at the Preventative Security.

4 Q. How long did you work for
5 Preventative Security?

6 A. (Translator.) For one year.

7 Q. Was that starting in 1994?

8 A. (Translator.) Yes.

9 Q. Because it's only one year, I'd
10 like to just clarify, if you know, which
11 month, which month that was; beginning of
12 the year, the end of the year?

13 A. (Translator.) What month?

14 Q. What month did you start
15 working for the Preventative Security? You
16 said 1994, but was it January, December,
17 August?

18 A. (Translator.) Immediately
19 following the inactivation of the
20 Palestinian Authority.

21 Q. When did you stop working for
22 Preventative Security in the Palestinian
23 Authority?

24 A. (Translator.) 1995. I don't
25 remember exactly when.

1 HUSSEIN AL SHEIKH

2 Q. Do you know if it was the
3 beginning of the year, the end of the year,
4 winter, spring, summer, fall?

5 A. (Translator.) During the early
6 month of the '95.

7 Q. When you worked for
8 Preventative Security in 1994 to 1995, what
9 was your position?

10 A. (Translator.) Vice President
11 of the Preventative Security.

12 Q. Who was the President?

13 A. (Translator.) Jibril Rajub.

14 MR. TOLCHIN: That's one of the
15 names you should write down.

16 Q. What was the hierarchy? You
17 were the vice President. Was Jibril Rajub
18 immediately above you?

19 A. (Translator.) Yes.

20 Q. Do you know who was immediately
21 above Gibril Rajub?

22 A. (Translator.) Yasser Arafat.

23 Q. Who was below you?

24 A. (Translator.) A number of
25 officers.

1 HUSSEIN AL SHEIKH

2 Q. Does he have a memory of
3 approximately how many officers were
4 immediately below him?

5 A. (Translator.) I can't
6 remember. Many of them.

7 Q. Can you give me an order of
8 magnitude? In other words, was it
9 something like five, something like ten,
10 something like 50, something like 1,000?

11 A. (Translator.) I can't remember
12 how many exactly.

13 Q. Explain to him I'm not asking
14 for exactly, I'm asking for approximately.

15 A. (Translator.) Maybe more than
16 15.

17 Q. More than 15, but less than 25?

18 A. (Translator.) Maybe.

19 Q. And you called the people who
20 were right below you officers, correct?

21 A. (Translator.) Yes.

22 MR. TOLCHIN: Could he explain
23 what does he mean by "officers"?

24 A. (Translator.) They are
25 officers of different branches.

1 HUSSEIN AL SHEIKH

2 Q. Does he remember any of the
3 different branches that were -- does he
4 remember any of the different branches?

5 A. (Translator.) Information
6 branch.

7 Q. Any others?

8 A. (Translator.) Administrative,
9 Finance.

10 Q. Any others, or is that all he
11 remembers?

12 A. (Translator.) There were many.

13 Q. Did each one of the officers
14 and branches include other employees
15 besides the officers?

16 A. (Translator.) Of course.

17 MR. TOLCHIN: Does he have a
18 memory, approximately, altogether how
19 many people were in the hierarchy
20 below him?

21 A. (Translator.) As I said, I
22 already told you.

23 Q. I don't think he did.

24 You told me that there was 15
25 to 25 officers, but now below the officers

1 HUSSEIN AL SHEIKH

2 there were more people?

3 A. (Translator.) There were
4 hundreds more beneath them.

5 Q. In your capacity as Vice
6 President of Preventative Security, between
7 1994 and 1995, did you have occasion to
8 meet with Yasser Arafat?

9 A. (Translator.) I had only
10 personal meetings with him because -- due
11 to the capacity that I fulfilled, I wasn't
12 allowed to meet him directly with anything
13 connected to work. Only the President of
14 the Preventative Security could meet him
15 with anything related to the work.

16 Q. Anything having to do with
17 Preventative Security had to go through
18 Mr. Rajub; is that correct?

19 A. (Translator.) To who?

20 Q. Anything that would have to be
21 discussed with Mr. Arafat.

22 A. (Translator.) Yes.

23 Q. Without getting into details,
24 can you say what sorts of personal
25 interactions you had with Mr. Arafat during

1 HUSSEIN AL SHEIKH

2 that time period?

3 A. (Translator.) As I said, it
4 was personal, the meetings.

5 Q. Do you have an understanding of
6 what qualifications you had in 1994 that
7 made you qualified to be Vice President of
8 Preventative Security?

9 A. (Translator.) What do you mean
10 by -- what kind of studies and
11 qualifications?

12 Q. Qualifications.

13 THE TRANSLATOR: Could I repeat
14 the question?

15 MR. TOLCHIN: Sure.

16 A. (Translator.) You mean
17 personal qualifications?

18 Q. That's correct.

19 A. (Translator.) First of all, my
20 qualifications is my own personal
21 experience.

22 Q. But at that point in your life
23 you had graduated High School, you had been
24 in prison for ten years, and you worked in
25 an import-export business. That's what you

1 HUSSEIN AL SHEIKH

2 told us about.

3 Meaning no disrespect, but I
4 don't see anything in that experience that
5 would qualify somebody to be Vice President
6 of a security organization supervising
7 hundreds of people.

8 MR. HIBEY: Objection to the
9 form, argumentative.

10 MR. TOLCHIN: Please continue,
11 translate.

12 A. (Translator interpreting
13 statement.)

14 Q. Now the question.

15 MR. HIBEY: Ask the question.

16 Q. Now the question: Is there
17 anything else in your background that made
18 you qualified for the position of Vice
19 President of Preventative Security, in
20 1994, supervising 15 to 25 officers and
21 hundreds of subordinates?

22 A. (Translator.) These
23 qualifications were sufficient.

24 Q. You told us in the University
25 you completed a Degree in Political

1 HUSSEIN AL SHEIKH

2 Science.

3 A. (Translator.) Diploma.

4 Q. How many years of study or
5 semesters of study led to that diploma?

6 A. (Translator.) Two semesters.

7 Q. Does the Diploma have a name or
8 it's just called a Diploma?

9 A. (Translator.) A Diploma in
10 Regional Studies.

11 Q. Were you a full-time student or
12 a part-time student?

13 A. (Translator.) Part-time.

14 Q. Part-time?

15 A. (Translator.) Part-time.

16 MR. TOLCHIN: Off the record.

17 (Whereupon, an off-the-record
18 discussion was held.)

19 MR. TOLCHIN: Back on the
20 record.

21 Q. I'm sorry, I'm just a little
22 bit unclear. What years were you in the
23 University?

24 A. (Translator.) I would say
25 about half of '95-'96.

1 HUSSEIN AL SHEIKH

2 Q. Other than the time when you
3 were getting that Diploma, have you had any
4 other formal education?

5 A. (Translator.) No.

6 Q. You said you remembered three
7 divisions that were under you in
8 Preventative Security, you said Information
9 Branch, Administration and Finance,
10 correct?

11 A. (Translator.) Not under my
12 supervision directly, also under the
13 supervision of the President of the
14 organization.

15 Q. Who were the officers in charge
16 of those three units?

17 A. (Translator.) Muhammad El
18 Jubrini.

19 Q. Was which? Was which?

20 A. (Translator.) For Information.
21 Abu Hasan Rajoub in
22 Administration and Finance.

23 Q. He was in both?

24 A. (Translator.) Yes.

25 Q. What does Abu Hasan Rajoub do

1 HUSSEIN AL SHEIKH

2 today?

3 A. (Translator.) I don't know.

4 Q. How about Muhammad El Jubrini?

5 A. (Translator.) I think he is in
6 the Interior Ministry.

7 Q. Is that also in Ramallah?

8 A. (Translator.) He is in the
9 Interior Ministry in Ramallah.

10 Q. At some point in your life did
11 you become a member of an organization
12 called Fatah?

13 A. (Translator.) Yes.

14 Q. When was that?

15 A. (Translator.) From the day I
16 was arrested.

17 Q. So you were not a member of
18 Fatah before you were arrested; is that
19 correct?

20 A. (Translator.) I was in prison
21 because I was a member of Fatah.

22 Q. I appreciate that.

23 Were you a member of Fatah
24 before you were in prison, or you became a
25 member of Fatah after you were in prison?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) Before I was in
3 prison I was a member of Fatah.

4 Q. How old were you when you
5 became a member of Fatah?

6 A. (Translator.) Sixteen and a
7 half.

8 Q. You testified earlier that you
9 were in prison because you were a member of
10 the PLO. Is that what you said?

11 A. (Translator.) Fatah is part of
12 the PLO.

13 Q. Is there such a thing as being
14 a member of the PLO itself?

15 A. (Translator.) Once you are a
16 member of Fatah, you immediately become a
17 member of the PLO.

18 Q. Is it possible to be a member
19 of the PLO without being a member of a
20 constituent group?

21 A. (Translator.) Yes, you can be
22 an independent.

23 Q. But you became a member of the
24 PLO by virtually being a member of Fatah
25 since the age 16 1/2?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) Yes.

3 Q. Was it your membership in Fatah
4 one of the qualifications that qualified
5 you for your job as Vice President of
6 Preventative Security in 1994?

7 A. (Translator.) The one who made
8 the Oslo Agreement was from Fatah, and yes
9 of course.

10 Q. Was Gibril Rajub a member of
11 Fatah?

12 A. (Translator.) Yes.

13 Q. And Yasser Arafat was the head
14 of Fatah?

15 A. (Translator.) Yes.

16 Q. The people below you, such as
17 Mohammed Jibrini, were also members of
18 Fatah?

19 A. (Translator.) I cannot judge
20 each person and tell whether they belonged
21 to Fatah or not because it is considered a
22 capacity that they fulfilled.

23 Q. I'm not sure I understood that
24 answer.

25 Let me just ask directly: Do

1 HUSSEIN AL SHEIKH

2 you know whether Mr. Jubrini was a member
3 of Fatah?

4 A. (Translator.) Yes.

5 Q. Do you know whether Mr. Abu
6 Hasan Rajoub was a member of Fatah?

7 A. (Translator.) Yes.

8 Q. Were any of the officers in the
9 Preventative Security unit not members of
10 Fatah?

11 A. (Translator.) I don't know
12 exactly.

13 Q. Do you remember anyone not
14 being a member of Fatah?

15 A. (Translator.) I don't
16 remember.

17 Q. Incidentally was Mr. Abu Hasan
18 Rajoub related to Jibril Rajoub?

19 A. (Translator.) Maybe
20 accidentally.

21 Q. When you left Preventative
22 Security -- you said your services as Vice
23 President of Preventative Security ended
24 sometime in early 1995; is that correct?

25 A. (Translator.) Yes.

1 HUSSEIN AL SHEIKH

2 Q. When you left the position of
3 Vice President of Preventative Security,
4 did you go on to another job within the
5 Palestinian Authority?

6 A. (Translator.) Yes.

7 Q. What was that job?

8 A. (Translator.) In the
9 Investigation Crime Authority of the
10 Police.

11 Q. Let me just clarify.

12 MR. HIBEY: Criminal
13 Investigation Officer in the Police.

14 Q. Which Police was that?

15 A. (Translator.) The Palestinian
16 Police.

17 Q. What was your title?

18 A. (Translator.) The head or the
19 manager of the criminal investigations.

20 Q. Head or manager? Director?

21 A. (Translator.) Director.

22 Q. So Director of Criminal
23 Investigators?

24 A. (Translator.) Yes.

25 Q. What were your duties as

1 HUSSEIN AL SHEIKH

2 Director of Criminal Investigators?

3 A. (Translator.) To prevent to
4 fight against crimes in the Palestinian
5 society.

6 Q. What sorts of crimes were you
7 involved with fighting?

8 A. (Translator.) Theft, murder,
9 and such things.

10 MR. TOLCHIN: I'm advised that
11 we have to switch the tape, and the
12 translator needs time to take a
13 breath, so it's probably an opportune
14 moment to break.

15 Madam Commissioner has to
16 record the time.

17 Commissioner GITLIN: The time
18 is 1:16 p.m.

19 (Back on the record.)

20 Commissioner GITLIN: The time
21 is 1:29 p.m.

22 This is the Commissioner Amy
23 Gitlin. My business address is Nahal
24 Katlav, 7/3 Beit Shemesh, Israel.

25 This deposition is being held

1 HUSSEIN AL SHEIKH

2 in Jerusalem, Israel on Aril 1, 2009.

3 The deponent's name is Hussein
4 Al Sheikh.

5 MR. TOLCHIN: Does she have to
6 say who is here again for each tape?
7 As long as we agreed, we all agree
8 that the same people who were here at
9 the start of the first tape are still
10 here, correct?

11 MR. HIBEY: Yes, I believe that
12 is correct.

13 BY MR. TOLCHIN:

14 Q. Sir, I'm just jumping backwards
15 for a minute. What does Preventative
16 Security do, or what did it do in 1994?

17 A. (Translator.) You are talking
18 about the Vice President or the
19 organization?

20 Q. The organization.

21 A. (Translator.) To preserve
22 general security, public security.

23 Q. How is Preventative Security
24 different from the Palestinian Police that
25 you referred to a few minutes ago?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) The Preventative
3 Security is a more political organization.

4 Q. Can you explain what that
5 means?

6 MR. HIBEY: Political security.

7 Q. What is political security?

8 A. (Translator.) Basically the
9 Preventative Security is more occupied with
10 political organizations and different
11 belongings to political organizations in
12 the society. Membership to political
13 organizations.

14 Q. What functions did the
15 Preventative Security organization serve in
16 the PA government?

17 A. (Translator.) To face all the
18 Palestinian organizations who are against
19 Oslo and who are trying to disturb the rule
20 of the Palestinian society.

21 Q. Then you said you became the
22 Director of Criminal Investigators in the
23 Palestinian Police. Right?

24 A. (Translator.) In the West
25 Bank.

1 HUSSEIN AL SHEIKH

2 Q. Was there another Director in
3 Gaza?

4 A. (Translator.) Yes.

5 Q. Who was the Director in Gaza?

6 A. (Translator.) You mean the
7 Director of the Police in general?

8 Q. I'm sorry.

9 You said you were the Director
10 of Criminal Investigators for the West
11 Bank. Was there a Director of Criminal
12 Investigators in Gaza?

13 A. (Translator.) Yes. Correct.

14 Q. What was that person's name?

15 A. (Translator.) I don't remember
16 his name.

17 Q. Until when did you continue to
18 be the Director of Criminal Investigators
19 of the West Bank?

20 A. (Translator.) Several months.

21 Q. Was that also in 1995, or was
22 it early 1996?

23 A. (Translator.) I think until
24 the beginning of '96, I remained in the
25 position of Director of the Criminal

1 HUSSEIN AL SHEIKH

2 Investigators.

3 Q. At the time that you were
4 Director of Criminal Investigators, did you
5 have any other titles as well, or was that
6 your only title?

7 A. (Translator.) No.

8 Q. Besides being the Director of
9 Criminal Investigators from 1995 to 1996,
10 did you have any official position within
11 Fatah?

12 A. (Translator.) No.

13 Q. When you were Director of
14 Criminal Investigators, from 1995 to 1996,
15 who was your supervisor?

16 A. (Translator.) Razi el Jabali.

17 MR. TOLCHIN: What did he say
18 after that?

19 A. (Translator.) The General
20 Director of the Police.

21 Q. Who did Mr. Jabali report to?

22 A. (Translator.) To Yasser
23 Arafat.

24 Q. During your time as Director of
25 Criminal Investigators, from 1995 to 1996;

1 HUSSEIN AL SHEIKH

2 did you have any people that reported to
3 you?

4 A. (Translator.) Of course.

5 MR. TOLCHIN: Does he know how
6 many?

7 A. (Translator.) Many.

8 Q. Approximately how many?

9 A. (Translator.) Hundreds.

10 Q. The people who reported to him,
11 what was their role?

12 THE TRANSLATOR: To who?

13 MR. TOLCHIN: To him, the
14 people who are under him.

15 Let me clarify the question.

16 Q. You said hundreds of people
17 reported to you?

18 A. (Translator.) Yes.

19 Q. Who were the people who
20 reported to you? Were they Police officers
21 or patrolmen in the streets? How would you
22 describe that?

23 A. (Translator.) Investigators
24 and representatives and people who are
25 connected to the investigators who are

1 HUSSEIN AL SHEIKH

2 supposed to bring reports to them.

3 Q. I'm trying to understand the
4 hierarchy.

5 A. (Translator interprets
6 statement.)

7 Q. So directly under you, were
8 there officers who had people under them?

9 A. (Translator.) There are
10 officers beneath me, and they have other
11 people underneath the officers that are
12 divided in different places.

13 Q. Do you remember any of the
14 individuals who were officers directly
15 below you?

16 A. (Translator.) Some of them.

17 Q. Who does he remember?

18 A. (Translator.) Yunes Shawarme,
19 he used to work at the Israeli Police, and
20 I requested that he -- before the
21 Palestinian Authority, and I requested that
22 he will come to work for me.

23 Muhammad Salach, he was
24 appointed for Nablus; Abdallah Reth
25 responsible for Beit Lehem.

1 HUSSEIN AL SHEIKH

2 Q. Do you remember anybody else?

3 A. (Translator.) These are those
4 who I recall now.

5 Q. Do you recall whether these
6 three individuals were members of Fatah?

7 A. (Translator.) No. For
8 example, Yunes Shawarme was not in Fatah.

9 Q. But the other two were?

10 A. (Translator.) Abdallah Reth, I
11 do not know his political conviction.
12 Muhammad Salach does belong to Fatah.

13 Q. Is it correct, sir, that in
14 1996 you left your position as Director of
15 Criminal Investigators?

16 A. (Translator.) Yes.

17 Q. Where did you go in 1996?

18 A. (Translator.) I went to the
19 General Intelligence.

20 Q. Is there an official, a
21 commonly accepted name for that
22 organization?

23 MR. HIBEY: General
24 Intelligence.

25 Q. What position did you receive

1 HUSSEIN AL SHEIKH

2 in the General Intelligence in 1996?

3 A. (Translator.) I was
4 responsible for the Students Sector.

5 Q. Did you have a title?

6 A. (Translator.) Colonel.

7 Q. Other than Colonel, did you
8 have a title like Director or Vice
9 President, or anything like that, in
10 General Intelligence?

11 A. (Translator.) I was only a
12 colonel responsible for the students
13 sector.

14 Q. How long did you stay in that
15 job?

16 A. (Translator.) About a year.

17 Q. That would be until 1997 or
18 1998?

19 A. (Translator.) About 1997, yes.

20 Q. Why did you move from being the
21 Director of Criminal Investigators in the
22 Police to being colonel responsible for the
23 students sector in General Intelligence?

24 A. (Translator.) Because the
25 General Intelligence requested that I would

1 HUSSEIN AL SHEIKH

2 join them.

3 Q. At the time, did you consider
4 that to be a promotion or demotion or
5 staying on the same level?

6 A. (Translator.) If you consider
7 the ranking, it is basically the same rank,
8 but the responsibility is different.

9 Q. Different, but not less
10 important?

11 A. (Translator.) Yes, of course.

12 Q. So at the time you did not
13 consider you were being lowered?

14 A. (Translator.) No.

15 Q. What were your responsibilities
16 as Colonel, responsible for the students
17 sector in General Intelligence, from 1996
18 to 1997?

19 A. (Translator.) To fight against
20 any adverse or hostile streams.

21 Q. What do you mean by hostile
22 streams or adverse streams?

23 A. (Translator.) I received this
24 responsibility as the colonel responsible
25 for the students sector when we were facing

1 HUSSEIN AL SHEIKH

2 large campaigns against Hamas.

3 Q. When you were a colonel
4 responsible for the students sector, who
5 did you report to? Who was your direct
6 superior?

7 A. (Translator.) The Director of
8 the General Intelligence, Taufik Tirau.

9 Q. Do you know who Mr. Tarau
10 reported to?

11 A. (Translator.) To Yasser
12 Arafat.

13 Q. In your capacity as colonel
14 responsible for students sector, did you
15 have people who worked beneath you?

16 A. (Translator.) Yes.

17 Q. Do you know how many people,
18 approximately, worked below you in that
19 role?

20 A. (Translator.) Who are directly
21 --

22 Q. Correct, directly below you in
23 the hierarchy.

24 A. (Translator.) Yes, I do
25 remember.

1 HUSSEIN AL SHEIKH

2 Q. How many was that?

3 A. (Translator.) About ten.

4 Maximum ten.

5 Q. Do you remember any of the

6 names of any of those individuals?

7 A. (Translator.) Mohammed Daoud,

8 I do not remember his first name. The most

9 important two was Mohammed Daoud and

10 another person from Bira, near Ramallah. I

11 remember someone Riad, his family name is

12 Riad.

13 Q. What was Mohammed Daoud's

14 position?

15 A. (Translator.) He was working

16 with me directly.

17 Q. And Mr. Riad?

18 A. (Translator.) Also worked with

19 me directly.

20 Q. Where is Mohammed Daoud today?

21 What does he do today?

22 A. (Translator.) He is the

23 General Intelligence Director of Nablus.

24 Q. And Mr. Riad?

25 A. (Translator.) He is also in

1 HUSSEIN AL SHEIKH

2 the Intelligence, but I do not remember in
3 what position, because I left the
4 Intelligence long ago.

5 Q. Besides the ten people who were
6 directly below you, how many people, total,
7 were below you?

8 A. (Translator.) Hundreds.

9 Q. So you left that position in
10 1997, correct?

11 A. (Translator.) Yes, about that
12 time.

13 Q. And where did you go after
14 that?

15 A. (Translator.) I went to Civil
16 Affairs.

17 Q. And are you still at Civil
18 Affairs?

19 A. (Translator.) Today I am the
20 Minister of Civil Affairs.

21 Q. From 1997 until today, have you
22 been constantly employed at the Civil
23 Affairs Administration?

24 A. (Translator.) From 1997 until
25 approximately the end of 1999, I left the

1 HUSSEIN AL SHEIKH

2 Civil Affairs.

3 Q. We will come back to that.

4 From 1997 until 1999, what was
5 your position at the Civil Affairs
6 Administration?

7 A. (Translator.) I was the
8 responsible coordinator with the Israelis
9 and the Palestinian Authority in the West
10 Bank. I was Director of the RCAC, which
11 was an entity which was established during
12 the Oslo Accords.

13 Q. What is the RCAC?

14 A. (Translator.) It is the higher
15 coordinating committee of Palestinians in
16 the West Bank.

17 MR. TOLCHIN: When he says
18 RCAC, is that in English?

19 A. (Translator.) I know that this
20 is an abbreviation. If you ask me for
21 what, I cannot tell, but I know they used
22 these letters. I can tell it in Hebrew.
23 (Hebrew spelling.)

24 MR. SAADI: CAC is Civil
25 Affairs Committee, but the "R," I do

1 HUSSEIN AL SHEIKH

2 not know what it stands for.

3 A. (Translator.) It is the Civil
4 Affairs coordination between the
5 Palestinians and the Israelis. That is for
6 sure, I know.

7 Q. From 1997 until 1999, did you
8 have a title with the RCAC?

9 A. (Translator.) I was the
10 General Director.

11 Q. As the General Director of the
12 RCAC, whatever that stands for, what were
13 your duties?

14 A. (Translator.) I was
15 responsible for all coordinations between
16 the Palestinians and Israelis as far as the
17 Civil Affairs was concerned.

18 Q. What do you mean when you say
19 Civil Affairs?

20 A. (Translator.) Everything that
21 is connected with economics, environment,
22 transportation and communication.

23 Q. In terms of your personal
24 duties, what were you responsible for doing
25 yourself, you personally?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) I had a
3 colleague who is a counterpart in the
4 Israeli side. I used to conduct continuous
5 meetings with him.

6 Q. And what was the purpose of
7 these continuous meetings?

8 A. (Translator.) To strengthen
9 the connections and relationship between
10 the Israelis and the Palestinians as far as
11 the Civil Affairs is concerned, and to
12 solve any problems between the two sides.

13 Q. Between 1997 and 1999, who was
14 your counterpart on the Israeli side?

15 A. (Translator.) General Fufi.

16 Q. Did General Fufi have a first
17 name?

18 A. (Translator.) Until now, he is
19 a friend of mine. I know only his name as
20 Fufi. He retired, but I only remember him
21 as Fufi.

22 Q. Did you deal with General Fufi
23 in Hebrew or in Arabic?

24 A. (Translator.) He loves Arabic,
25 but I preferred in Hebrew. He wanted to

1 HUSSEIN AL SHEIKH

2 strengthen his Arabic, but I wanted to
3 strengthen my Hebrew.

4 Q. When you were the Director of
5 the RCAC from 1997 until 1999, who did you
6 report to? Who was above you in the
7 hierarchy?

8 A. (Translator.) The Minister
9 Jamil A-Tarifi.

10 Q. And who did he report to?

11 A. (Translator.) To the
12 President, Yasser Arafat.

13 Q. I'm told that RCAC stands for
14 Regional Coordinating Affairs Committee.

15 A. (Translator.) It was for the
16 West Bank.

17 Q. When you were the Director of
18 RCAC, did you have people who were below
19 you in the hierarchy?

20 A. (Translator.) Yes, of course.

21 Q. And who was working below you,
22 names and positions, as best as you can
23 recall.

24 A. (Translator.) Iman Handil,
25 Farchedini Dick, the second one, and Ishar

1 HUSSEIN AL SHEIKH

2 Abu Marian.

3 Q. Anyone else?

4 A. (Translator.) These were the
5 most important portfolios at the RCAC.
6 They were also in different sectors because
7 the hierarchy was conducted with an
8 agreement, because each one at my side had
9 to have a counterpart on the other side.

10 Q. What was Mr. Handil's
11 portfolio?

12 A. (Translator.) Citizens
13 Registration.

14 Q. What does it mean, Citizens
15 Registration?

16 A. (Translator.) Anything
17 connected to the National Civil Registries:
18 Newborn babies, acquiring authorizations to
19 visit, permits.

20 Q. How about Mr. Dick?

21 A. (Translator.) He was
22 responsible for the professional
23 specialized committees. He was responsible
24 for the committees which had any connection
25 to the Israelis in the different

1 HUSSEIN AL SHEIKH

2 ministries.

3 For instance, there were
4 Agricultural Committees, Health Committees
5 in the different Ministries, and he was
6 coordinating their work with the other
7 side. And I was the head of these
8 specialized committees.

9 Q. And how about Mr. Abu Marian,
10 what was his function?

11 A. (Translator.) He was
12 responsible Head for the finance and
13 administration of the Ministry.

14 Q. And that is the Ministry of
15 Civil Affairs?

16 A. (Translator.) Yes.

17 Q. Were those three the only
18 people directly below you that you can
19 remember at this time?

20 A. (Translator.) In different
21 areas there were tens of people other than
22 them.

23 Q. Tens of people who were
24 directly one step below him?

25 A. (Translator.) Beneath these

1 HUSSEIN AL SHEIKH

2 people there were tens of people.

3 Q. Now, when you left the General
4 Intelligence and came to the Civil Affairs
5 Ministry in 1997, did you regard that as a
6 promotion or demotion or staying at the
7 same level?

8 A. (Translator.) Almost a
9 promotion.

10 Q. By the way, something I forgot
11 to ask Mr McAleer. Did you ever visit in
12 Tunis?

13 A. (Translator.) Yes.

14 Q. When was that?

15 A. (Translator.) It was in the
16 beginning of the '90s, 1992, 1993. They
17 were starting talks about the Oslo
18 Agreement.

19 Q. Why did you visit Tunis in the
20 1990s in connection with the Oslo
21 Agreement?

22 A. (Translator.) I agreed to
23 conduct or to establish committees which
24 would support the Oslo Agreement.

25 Q. Did somebody ask you to

1 HUSSEIN AL SHEIKH

2 establish committees to support the Oslo
3 Agreement?

4 A. (Translator.) It was volunteer
5 work, me along with Dr. Sari Nusseiba. It
6 was all volunteering.

7 Q. Did anybody ask you to get
8 involved at that time?

9 A. (Translator.) No, it was a
10 private initiative.

11 Q. How did you become aware that
12 there were any negotiations going on
13 relating to the Oslo Agreement?

14 A. (Translator.) In general it
15 was published and known in 1993 that there
16 was an Oslo Agreement.

17 Q. Let me just clarify. You went
18 to Tunis before there was an Oslo
19 Agreement, correct?

20 A. (Translator.) I said yes.

21 Q. How long were you in Tunis?

22 A. (Translator.) For a number of
23 days.

24 Q. Less than a week? More than a
25 week?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) About a week.

3 Q. And when you were in Tunis,
4 what did you do there?

5 A. (Translator.) I met with
6 Yasser Arafat.

7 Q. How many times?

8 A. (Translator.) Twice.

9 Q. What was the purpose of the
10 meetings with Arafat in Tunis?

11 A. (Translator.) To talk about
12 political developments in the area.
13 Especially there were talks about
14 conducting or performing a peaceful process
15 in the region between Israel and the PLO.

16 Q. Did Mr. Arafat ask you to do
17 anything?

18 A. (Translator.) No. Personally
19 directly for me, no.

20 Q. When you met with Arafat, was
21 it with a group of people or just you and
22 him?

23 A. (Translator.) He had other
24 people, but I cannot remember who was there
25 also.

1 HUSSEIN AL SHEIKH

2 Q. What I'm trying to clarify is,
3 I do not mean his assistants or his aides.
4 Were there other people such as yourself
5 who had come to Tunis, who were meeting
6 with him together with you, or you were
7 meeting with him and his assistants by
8 yourself?

9 A. (Translator.) The first time I
10 went there it was on a personal level.
11 Following that, I met with him and Dr. Sari
12 Nusseiba.

13 Q. When you say it was on a
14 personal level, you mean it was a private
15 meeting or you mean you were talking about
16 personal things?

17 A. (Translator.) What do you mean
18 private? I am Fatah and I was meeting with
19 the head of Fatah.

20 Q. So is it fair to say you were
21 talking about issues that Fatah was active
22 on at the time?

23 A. (Translator.) I wanted to
24 coordinate with him that I am interested in
25 initiating committees to support the Oslo

1 HUSSEIN AL SHEIKH

2 Agreement.

3 Q. And when you say committees to
4 support the Oslo Agreement, what do you
5 mean by committees?

6 A. (Translator.) I established
7 different committees in all of the West
8 Bank. I established committees supporting
9 the peace process. In each town I
10 established a committee.

11 Q. Did you make more than one trip
12 to Tunis?

13 A. (Translator.) I also went with
14 Dr. Sari Nusseiba.

15 Q. Altogether how many times did
16 you travel to Tunis?

17 A. (Translator.) In 1993, after
18 establishing the committees, I cannot
19 remember exactly but more than once.

20 Q. More than five times?

21 A. (Translator.) No. Maybe three
22 times. I cannot remember exactly, but more
23 than once for sure.

24 Q. More than twice?

25 A. (Translator.) Maybe three

1 HUSSEIN AL SHEIKH

2 times, something like that.

3 Q. Are you just talking about the
4 period between 1992 and 1993, or are you
5 talking about your whole life?

6 A. (Translator.) I only went in
7 1992 and 1993.

8 Q. When you were in Tunis during
9 those approximately three trips, did you
10 meet with anybody there besides Mr. Arafat?

11 A. (Translator.) Of course.

12 Q. Who else did you meet with?

13 A. (Translator.) I met with
14 Farouk el Kadoumi and Jibril Rajub.

15 Q. That is the same Jibril Rajub
16 who was your supervisor later, if I
17 understand?

18 A. (Translator.) Yes, it is the
19 same person.

20 Q. Who was Farouk Kadoumi at the
21 time in the early '90s?

22 A. (Translator.) He was the head
23 of the political department in the PLO.

24 Q. Where is Mr. Kadoumi today?

25 A. (Translator.) He is traveling

1 HUSSEIN AL SHEIKH

2 between Tunis and Damascus.

3 Q. Are you still in contact with
4 Dr. Kadoumi?

5 A. (Translator.) No.

6 Q. At the time that you were
7 traveling to Tunis in 1992 and 1993, you
8 were working for your father, correct?

9 A. (Translator.) Yes.

10 Q. Did you have any position in
11 Fatah at that time?

12 A. (Translator.) There were no
13 capacities in Fatah at that time.

14 Q. Just a member?

15 A. (Translator.) Yes.

16 Q. On behalf of whom did you set
17 up those committees in support of the Oslo
18 Accords?

19 A. (Translator.) On my own
20 initiative, along with Dr. Sari Nusseiba's,
21 and I started to recruit people for this
22 issue.

23 Q. Did you have the approval or
24 support of Mr. Arafat to organize these
25 committees in support of Oslo?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) After I put in
3 front of him, the picture of the
4 initiative, of course he supported it.

5 Q. Let's go back to 1999. At that
6 point you left your position as the
7 Director of the RCAC?

8 A. (Translator.) Approximately
9 end of 1999. I don't remember the month
10 exactly, but yes.

11 Q. Where did you go?

12 A. (Translator.) I was elected as
13 the Treasurer of Fatah. Secretary, sorry.

14 Q. Could we clarify, is the title
15 Secretary or Secretary General?

16 A. (Translator.) Secretary of
17 Fatah in the West Bank, as I said.

18 Q. When you say you were elected,
19 who elected you?

20 A. (Translator.) Those who
21 elected me are the Fatah leadership in the
22 West Bank.

23 Q. So this was not a general
24 election among the public; is that correct?

25 A. (Translator.) Approximately

1 HUSSEIN AL SHEIKH

2 there were 70 people who elected me. These
3 were the leadership of the Fatah in the
4 West Bank.

5 I was also a candidate along
6 with other people who were competing for
7 this position, and I was elected.

8 Q. What were your duties as
9 Secretary for Fatah in the West Bank?

10 A. (Translator.) When we consider
11 Fatah in the West Bank, I was responsible
12 for the organization. Fatah is divided
13 into districts.

14 Commissioner GITLIN: It is now
15 2:06 p.m.

16 (A recess transpired.)

17 Commissioner GITLIN: This is
18 tape number 3. We are beginning at
19 2:41 p.m.

20 This is the Commissioner Amy
21 Gitlin. My business address is Nahal
22 Katlav, 7/3 Beit Shemesh, Israel.

23 This is the deposition of
24 Hussein al Sheikh conducted in
25 Jerusalem, Israel, on April 1, 2009.

1 HUSSEIN AL SHEIKH

2 BY MR. TOLCHIN:

3 Q. Can you tell me, sir, when
4 exactly you were elected as Secretary of
5 Fatah?

6 A. (Translator.) In the last
7 months of 1999.

8 Q. At the time that you were
9 elected as Secretary of Fatah, did you stop
10 having a job working for the Palestinian
11 Authority?

12 A. (Translator interpreted
13 question.)

14 Q. I'll rephrase the question.
15 I'll just withdraw the question and ask it
16 more clearly.

17 When you became Secretary of
18 Fatah, did you stop being employed by the
19 Palestinian Authority?

20 A. (Translator.) Yes. When I was
21 elected, I no longer had any executive
22 position at the Palestinian Authority.

23 Q. The job as Secretary of Fatah,
24 was that a volunteer job or were you paid a
25 salary for that job?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) Without salary.

3 Q. During the time that you served
4 as the Secretary of Fatah, how did you
5 support yourself?

6 A. (Translator.) I had two income
7 sources. I had personal income from the
8 work that my brothers and family did.

9 The second one, when I finished
10 my executive position at the PA, my salary
11 was transferred to the -- I have to find
12 the word.

13 MR. SAADI: We have a special
14 terminology. Give me a minute.

15 Q. While we wait for the precise
16 word, can we continue?

17 THE TRANSLATOR: Okay.

18 MR. TOLCHIN: Do you want me to
19 continue or do you want me to wait
20 for your --

21 MR. HIBEY: I think I might
22 need the translation.

23 MR. TOLCHIN: I'm happy to
24 wait.

25 MR. HIBEY: I don't know where

1 HUSSEIN AL SHEIKH

2 he went.

3 MR. TOLCHIN: He went to call
4 someone. He was talking on his
5 cellphone.

6 MR. HIBEY: Oh, is that right?

7 MR. SAADI: It's GPC, General
8 Personnel Council.

9 Q. During the time that you worked
10 as Secretary of Fatah, you were paid a
11 salary by the General Personnel Council of
12 the PA; is that correct?

13 A. (Translator.) Correct.

14 Q. Why did the Palestinian
15 Authority continue to pay you a salary
16 while you were working as Secretary of
17 Fatah?

18 A. (Translator.) I was working
19 for the Palestinian Authority until 1999.
20 When I finished and was elected as the
21 Secretary of Fatah, I lost my executive
22 position in the PA, so my portfolio was
23 transferred from my executive position to
24 the GPC.

25 I was given a limited period.

1 HUSSEIN AL SHEIKH

2 I was given, according to the law -- I do
3 not remember which law exactly -- a time
4 period where I had to choose whether to
5 continue to fulfill a position in the PA or
6 to stop practicing or having this position,
7 so that I would not be cut off from any
8 salary, until I find some other source of
9 income.

10 Q. How long was the period of time
11 that you were given?

12 A. (Translator.) The problem was
13 that all of these things were mixed up in
14 the PA at that time.

15 Q. Do you mean by that that nobody
16 knew how long the period was that you could
17 continue receiving a salary?

18 A. (Translator.) I mean by that,
19 that in 2000 the Intifada erupted and the
20 whole area was prevailed with violence, and
21 all the Authority's buildings were
22 destroyed.

23 There was no stability in the
24 political Palestinian organization in
25 general. The Palestinian political system

1 HUSSEIN AL SHEIKH
2 was no longer stable. Different
3 organizations were not working or active as
4 they used to be before the Intifada. The
5 working hours were not regulated anymore.
6 This is what I mean specifically.

7 MR. SAADI: Mr. Hussein was
8 referring to the Department of
9 General Personnel Affairs, we call it
10 GPC. The General Personnel Council,
11 that it is where public servants are
12 usually paid.

13 Q. How long did you serve as
14 Secretary of Fatah?

15 A. (Translator.) I took this
16 position from 1999 until 2005.

17 Q. For what period of time did you
18 continue to receive a salary from the GPC?

19 A. (Translator.) During the whole
20 five years, except for one year during the
21 government of Hamas, following the victory
22 of Hamas in the elections. I assume about
23 a year I did not have a salary.

24 Q. Do you know what year that was?

25 A. (Translator.) Hamas succeeded

1 HUSSEIN AL SHEIKH

2 in the election in January 2005, in the
3 legislative council elections, and it
4 continued for about a year.

5 Q. When you were Secretary of
6 Fatah, who was above you in the hierarchy?

7 A. (Translator.) In 2002, the one
8 who was responsible above me is Hanin
9 Hassan, a member of the Central Committee
10 at Fatah.

11 Q. That was until 2002 or after
12 2002?

13 A. (Translator.) He remained
14 responsible for me until 2005, when I left
15 Fatah and I returned to the PA.

16 Q. Let's jump back. In 1999, when
17 you were first elected as Secretary of
18 Fatah, who was above you?

19 A. (Translator.) The one who was
20 responsible for me was Hakam Baloui. He
21 remained in position until 2002, until
22 Honey el Hassan took position.

23 Q. What does Mr. Baloui do today?

24 A. (Translator.) He is a member
25 of the Central Committee of Fatah.

1 HUSSEIN AL SHEIKH

2 Q. Does he have a position within
3 the Palestinian Authority?

4 A. (Translator.) No.

5 Q. Does he have a position within
6 the PLO?

7 A. (Translator.) What do you mean
8 by that?

9 Q. You told us he has a position
10 today with Fatah.

11 A. (Translator.) Yes.

12 Q. Does he also have, officially,
13 a position in the PLO?

14 A. (Translator.) Mr. Balauí has
15 no official position in the PLO. The ones
16 who represent Fatah in the PLO are Mr.
17 Mahamud Abas and Achmed Dedrer in the
18 Executive Committee of the PLO.

19 Q. How about Mr. Hanin Hassan,
20 what does he do today?

21 A. (Translator.) He is a member
22 of the Central Committee of Fatah.

23 Q. Who was above Mr. Balauí in
24 1999 until 2002?

25 A. (Translator.) To the head of

1 HUSSEIN AL SHEIKH

2 the Fatah movement, to Yasser Arafat.

3 Q. To whom did Mr. Hanin Hassan
4 report? Who was above him from 2002 to
5 2005?

6 A. (Translator.) At first he was
7 reporting to Abu Amar, until he passed away
8 in 2004, if I am correct. Then Abu Mazen
9 became the general leader of Fatah.

10 Q. By Abu Amar are you referring
11 to Mr. Arafat?

12 A. (Translator.) Yasser Arafat
13 has many nicknames among which is Abu Amar.

14 Q. Who is Abu Mazen?

15 A. (Translator.) The President,
16 Machmud Abas.

17 Q. And President Abas is known as
18 Abu Mazen?

19 A. (Translator.) Yes.

20 Q. When you were Secretary of
21 Fatah, did you have people who worked for
22 you?

23 A. (Translator.) Of course.

24 Q. How many people worked directly
25 under you?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) I had 14
3 Secretaries who were divided into different
4 districts in the West Bank.

5 Q. Were those 14 Secretaries each
6 responsible for a different territory, or
7 were they responsible for different
8 functions?

9 A. (Translator.) They were
10 responsible for Fatah in the different
11 districts. Each one is responsible for
12 Fatah in his own area, and they were
13 elected democratically.

14 Q. I just want to clarify. You
15 were Secretary of Fatah only in the West
16 Bank, correct?

17 A. (Translator.) Only in the West
18 Bank, yes.

19 Q. Was there another person who
20 was Secretary of Fatah in Gaza?

21 A. (Translator.) Yes.

22 Q. Who was that individual?

23 A. (Translator.) Achmed Hiles.

24 Q. Did Achmed Hiles serve the same
25 time period as you?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) Yes.

3 Q. Where is Achmed Hiles today?

4 A. (Translator.) In Gaza.

5 Q. Is he part of the government in
6 Gaza today?

7 A. (Translator.) Which
8 government?

9 Q. Any government.

10 A. (Translator.) He is not in any
11 government.

12 Q. Did those 14 Secretaries that
13 you referred to that worked for you, did
14 they have people that worked for them?

15 A. (Translator.) Yes.

16 Q. Approximately how many people
17 altogether?

18 A. (Translator.) Thousands. We
19 are talking about an organization, the
20 organization of Fatah.

21 Q. In 2005, did you leave your
22 position as Secretary of Fatah?

23 A. (Translator.) Yes.

24 Q. Why did you decide to leave
25 your position as Secretary of Fatah?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) According to the
3 wish of the President, Machmud Abas.

4 Q. Did the President, Abas, ask
5 you to leave your position as secretary?

6 A. (Translator.) Yes.

7 Q. Did President Abas ask you also
8 to take on a new job?

9 A. (Translator.) Yes.

10 Q. What was the new job that you
11 took on in 2005?

12 A. (Translator.) I took the
13 position of Security and Civil Coordination
14 with Israel, the head of the Security and
15 Civil Coordination with Israel.

16 Q. Is that the job you have today?

17 A. (Translator.) Yes. Today I am
18 the Minister of the Civil Palestinian
19 Affairs.

20 Q. Today, who do you report to as
21 Minister of Palestinian Affairs?

22 A. (Translator.) To the
23 President, Machmud Abas.

24 Q. How many other ministers are
25 there in the Palestinian Authority?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) To clarify
3 something, I am a minister who belongs to
4 the presidency. I do not belong to the
5 government. The prime minister is Salam
6 Fayad. The one who is responsible directly
7 for me is Machmud Abas.

8 Q. How many other people are
9 ministers belonging to the presidency?

10 A. (Translator.) Myself. There
11 are different committees which belong to
12 the President, and there are ministers
13 which belong to the government of Salam
14 Fayad.

15 MR. SAADI: I would not call
16 them committees. They are known as
17 being Authorities. There is the
18 Civil Affairs Authority and the
19 Monetary Fund Authority. These two,
20 they report to the President.

21 MR. TOLCHIN: I appreciate it.
22 Let me just clarify with the witness,
23 because he testifies.

24 Q. There is the organization you
25 are in charge of. It is called the Civil

1 HUSSEIN AL SHEIKH

2 Affairs Authority or Civil Affairs
3 Ministry? What is the proper term?

4 A. (Translator interpreted
5 question.)

6 THE TRANSLATOR: It's a problem
7 to use -- when you say
8 organization --

9 A. (Translator.) Could you repeat
10 the question, please?

11 Q. I understand. I can ask it
12 differently.

13 What is the official name of
14 the body that you are in charge of?

15 A. (Translator.) It is the Civil
16 Affairs Authority.

17 Q. Are there any other authorities
18 that are part of the office of the
19 presidency of the Palestinian Authority?

20 A. (Translator.) Yes.

21 Q. Which other authorities?

22 A. (Translator.) Monetary
23 Authority and Television and Radio
24 Authority. They are directly below to the
25 President.

1 HUSSEIN AL SHEIKH

2 Q. Anything else?

3 A. (Translator.) Basically these
4 are the Authorities.

5 Q. You said that there are some
6 Ministries which belong to the prime
7 minister.

8 A. (Translator.) All of the
9 ministries.

10 Q. Just to clarify, you use the
11 word "Authorities" to refer to the things
12 that belong to the presidency and
13 "Ministries" to refer to things that refer
14 to the prime minister's government; is that
15 correct?

16 A. (Translator.) All Ministries
17 belong to the government, and part of the
18 Authorities belong to the government and
19 other parts belong to the President. Part
20 of the Authorities belong to the President.

21 Q. I want to clarify, what do you
22 mean by the word "belong to"?

23 A. (Translator.) The direct
24 responsible for me is Machmud Abas.

25 Q. Is it fair to say that the

1 HUSSEIN AL SHEIKH

2 prime minister does not have a parallel
3 body that does the same thing as your body?
4 Is that correct?

5 A. (Translator.) To the question
6 you asked is no. I need to clarify to you.
7 The direct in charge responsible for me is
8 the President, Machmud Abas. However, my
9 work as Civil Affairs Authority Coordinator
10 with Israel is included within both the
11 government and the presidency.

12 Q. Tell me if the following
13 statement is fair and accurate: Is it fair
14 to say the bodies that are part of the
15 presidency and the bodies that are part of
16 the prime minister are all part of the
17 Palestinian Authority?

18 MR. McALEER: Object to the
19 form.

20 Q. You can translate it.

21 A. (Translator.) To the
22 Authority?

23 Q. Yes.

24 A. (Translator.) Correct.

25 Q. What you're telling me about

1 HUSSEIN AL SHEIKH

2 the President and the prime minister has to
3 do essentially with the chain of command?

4 A. (Translator.) Of course,
5 because Abu Mazen is the head of the PA.

6 Q. You do not call Civil Affairs
7 Authority a Ministry, correct?

8 A. (Translator.) It is an
9 Authority, not a Ministry.

10 Q. Do you sometimes use the title
11 "Minister"?

12 A. (Translator.) I am a minister.

13 Q. You are a minister but you are
14 a minister of an Authority; is that
15 correct?

16 A. (Translator.) Correct.

17 Q. The position that you received
18 in 2005, as Minister of Palestinian Civil
19 Affairs, is that the position that you have
20 to this day?

21 A. (Translator.) Yes.

22 Q. Who is the Minister of
23 Television and Radio Authority today?

24 A. (Translator.) Yasser Abed
25 Rabo.

1 HUSSEIN AL SHEIKH

2 Q. Is he a member of the Fatah?

3 A. (Translator.) No.

4 Q. Who is the Minister of the
5 Monetary Authority today?

6 A. (Translator.) Gihad El Wazir.

7 Q. What are your duties as the
8 Minister of Palestinian Civil Affairs?

9 A. (Translator.) I hold all the
10 meetings with the Israelis concerning the
11 Security and Civil Affairs Coordination
12 with the Israelis, but from the side of the
13 Palestinians. When I had the meetings I am
14 chairperson for the Palestinian side.

15 Q. Are you referring to from '97
16 to '99?

17 MR. SHEHADEH: No, he's saying
18 when the meetings are conducted, he
19 is the chairperson for the
20 Palestinian side.

21 MR. TOLCHIN: I'm glad you
22 clarified that.

23 Q. You are not a representative of
24 the Israeli side.

25 A. (Translator.) I have a

1 HUSSEIN AL SHEIKH

2 counterpart on the Israeli side.

3 Q. Who is your counterpart on the
4 Israeli side?

5 A. (Translator.) General Amos
6 Gilad.

7 Q. Do you have a military rank?

8 A. (Translator.) No.

9 Q. Has General Gilad been your
10 counterpart since 2005?

11 A. (Translator.) Before him my
12 counterpart was Yusef Michlev.

13 Q. From '97 to '99, you were
14 Director of the Civil Affairs Coordinating
15 Committee. You were the Director of the
16 RCAC, correct?

17 A. (Translator.) Correct.

18 Q. Is there somebody that does
19 that job today?

20 A. (Translator.) They are
21 employees who belong to me.

22 Q. So there is somebody today who
23 fills your old role?

24 A. (Translator.) Yes, under my
25 supervision. He belongs to me.

1 HUSSEIN AL SHEIKH

2 Q. Who is the person today who has
3 your old job?

4 A. (Translator.) Iman Kandil.

5 Q. He was someone who worked for
6 you back when you were the Director of
7 RCAC, correct?

8 A. (Translator.) Correct.

9 Q. And so he has received a
10 promotion?

11 A. (Translator.) Correct.

12 Q. Of course when you became the
13 minister, that was a promotion for you,
14 correct?

15 A. Correct.

16 Q. In order to be a minister as
17 you are, do you have to take some form of
18 oath of office?

19 A. (Translator.) In front of the
20 President.

21 Q. Do you know what the text of
22 that oath is?

23 A. (Translator.) To be loyal and
24 to prove all to my country, my people, and
25 to my homeland.

1 HUSSEIN AL SHEIKH

2 Q. I think you have said this, I
3 just want to clarify. Today you report to
4 nobody besides the President; is that
5 correct?

6 A. (Translator.) To the President
7 and the prime minister.

8 Q. And how many people are there
9 that report to you?

10 A. (Translator.) Many.

11 Q. Do you know who they are?

12 A. (Translator.) Of course. I am
13 in charge of them directly.

14 Q. Can you identify as many as you
15 can? What I'm referring to is the people
16 who report directly to you.

17 A. (Translator.) I have a Vice
18 President for me and for the West Bank, and
19 a Vice President in the Gaza.

20 In the West Bank is Maaruf
21 Zaharan, and in the Gaza Strip is Amin
22 Esiam. They are Deputies.

23 Q. Who else?

24 A. (Translator.) Of course below
25 them there are general directors in the

1 HUSSEIN AL SHEIKH

2 different departments.

3 Q. How many different departments
4 are there?

5 A. (Translator.) In my Authority
6 I have 17 departments and units.

7 Q. Can you tell me what the 17
8 departments are?

9 A. (Translator.) I should have
10 brought with me the hierarchy structure.

11 Q. Let me ask you this: Does your
12 office have a website?

13 A. (Translator.) Yes, there is
14 for the Authority.

15 Q. Do you know what the website
16 is?

17 A. (Translator.) On my business
18 card, I have it on the -- I don't know if I
19 have it in the car or not.

20 Q. Does your office's website list
21 all the general directors and departments
22 within the Civil Affairs Authority?

23 A. (Translator.) There is
24 detailed information about the different
25 departments and units, but not the names of

1 HUSSEIN AL SHEIKH

2 the directors. It also gives details about
3 their specialties.

4 Q. Is the website mca.gov.ps?

5 A. (Translator.) I do not
6 remember.

7 MR. SHEHADEH: Do you want me
8 to open it and put it on the website?

9 MR. McALEER: We have a number
10 of documents that have been shown.

11 MR. TOLCHIN: That is not a
12 document.

13 MR. McALEER: That is what
14 ought to be used here. If you want a
15 recollection of what he understands a
16 website to be, then that is a
17 question that you can put to him.

18 Q. Sir, who is responsible for the
19 website of the Civil Affairs Authority?

20 A. (Translator.) The person who
21 is in charge of the media.

22 Q. Who is that?

23 A. (Translator.) Samir Abu Jundi.

24 Q. Does he answer directly to you,
25 or to whom?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) To my Deputy.

3 Q. Which Deputy?

4 A. (Translator.) Maaruf Zaharan.

5 Q. Is somebody responsible to make
6 sure that the information that's contained
7 on that website is accurate?

8 A. (Translator.) My Deputy.

9 Q. Mr. Zaharan?

10 A. (Translator.) Yes.

11 Q. Are you aware of any
12 information contained on that website of
13 your office which is not accurate?

14 A. (Translator.) I don't
15 understand the question. What do you mean
16 by inaccurate information?

17 MR. McALEER: Objection to the
18 form.

19 Q. Which is not correct.

20 A. (Translator.) Do you want me
21 to answer?

22 Q. Yes.

23 A. (Translator.) Anything that is
24 put on the Authority Civil Affairs site, I
25 am responsible for it. In the end, I am

1 HUSSEIN AL SHEIKH

2 the Minister of the Authority.

3 Q. Have you personally looked at
4 the website of the Ministry of Civil
5 Affairs?

6 A. (Translator.) Of course.

7 Q. How many times have you looked
8 at it?

9 A. (Translator.) I do it
10 continuously.

11 Q. When was the most recent time
12 that you looked at that website?

13 A. (Translator.) A few days ago.

14 Q. In all of the times that you
15 have looked at the website, have you found
16 any information on the website which was
17 not accurate?

18 A. (Translator.) No.

19 MR. TOLCHIN: What I would like
20 to do at this point is to leave a
21 blank in the transcript which the
22 witness could fill in the website
23 address.

24 He wanted to check his business
25 card. An easier option would be

1 HUSSEIN AL SHEIKH

2 during the next break, if there is
3 some way to check it.

4 (This page contains information
5 to be supplied by Counsel and/or the
6 deponent.)

7 MR. McALEER: Let me understand
8 what it is that you're asking for.
9 You're asking for the website address
10 of the Civil Affairs Administration?

11 MR. TOLCHIN: Right, which, I
12 believe in good faith, is
13 www.mca.gov.ps, and I just want to
14 verify that.

15 A. (Translator.) I do not know it
16 by heart, but I can bring it.

17 Q. In the break, we will clarify
18 that.

19 Altogether how many people work
20 under you in the Civil Affairs
21 Administration?

22 A. (Translator.) Do you mean all
23 employees of the Civil Affairs Authority?

24 Q. Yes.

25 A. (Translator.) About 490.

1 HUSSEIN AL SHEIKH

2 Q. Can you tell us as many of the
3 departments of the Civil Affairs Authority
4 that you can think of?

5 A. (Translator.) Civil Registry
6 Administration, Population Registry.
7 Specialized committees, Administration and
8 Finance Affairs, Tax Exemption,
9 Infrastructure.

10 All these that I am counting,
11 they have counterparts in the Israeli side,
12 because these administrations came
13 according to Oslo Agreement.

14 Prime Ministry Unit, Border
15 Crossing, Administration of Regional
16 Offices, Women Affairs Unit, et cetera.

17 Q. What is the Prime Ministry
18 Unit?

19 A. (Translator.) This is a
20 department that follows on all the
21 decisions and resolutions that is taken by
22 the prime minister, and it coordinates
23 between the Authority and the Government.

24 Q. You said something that was
25 called specialized committees. What does

1 HUSSEIN AL SHEIKH

2 that mean?

3 A. (Translator.) I explained that
4 before: Environment Committee, Finance
5 Committee, Water Affairs Committee, and
6 such things.

7 MR. TOLCHIN: We're at a
8 breaking point in the questioning.

9 Commissioner GITLIN: We are
10 ending at 3:37 p.m.

11 (Whereupon, at 3:37 P.M., the
12 Examination of this Witness was
13 recessed.)

14 MS. GITLIN: This is tape
15 number 4, beginning at 4:42 p.m.
16 This is the Commissioner Amy Gitlin,
17 business address Nahal Katlav 7/3
18 Beit Shemesh, Israel.

19 This deposition of Hussein Al
20 Sheikh is occurring in Jerusalem,
21 Israel, on April 1, 2009.

22 Joining the rest of the people
23 at the deposition is Shimon Ben Naim,
24 translator.

25 Q. You told us earlier that you

1 HUSSEIN AL SHEIKH

2 joined Fatah at the age of 16 1/2.

3 MR. HIBEY: There are two
4 issues that are involving the
5 simultaneous nature of that
6 translation.

7 MR. SHEHADEH: I explained to
8 do it consecutively, that he asks, he
9 translates.

10 MR. TOLCHIN: I'll just ask the
11 question again.

12 Q. You joined Fatah at age 16 1/2.

13 A. (Translator.) Yes.

14 Q. What was involved in joining
15 Fatah?

16 A. (Translator.) What do you mean
17 what did I do?

18 Q. Can anybody join or do you have
19 to be approved by somebody? Is there a
20 process?

21 A. (Translator.) I was offered
22 and I accepted.

23 Q. Can somebody become a member of
24 Fatah without it being offered?

25 A. (Translator.) He can be a

1 HUSSEIN AL SHEIKH

2 supporter but not a member.

3 Q. Who offered you membership in
4 Fatah?

5 A. (Translator.) A friend of
6 mine.

7 Q. Does your friend have a name?

8 A. (Translator.) Achmed Safi.

9 Q. Why did he offer you membership
10 in Fatah, if you know?

11 A. (Translator.) We were friends
12 and we were both at the same school.

13 Q. Did you make a decision to
14 become a member of Fatah?

15 A. (Translator.) Yes.

16 Q. Why did you decide to become a
17 member of Fatah?

18 A. (Translator.) Because I
19 believe in it.

20 Q. You say you believe in it.
21 What exactly do you believe in Fatah?

22 A. (Translator.) I believe in its
23 policy and its goals.

24 Q. What are the goals of Fatah
25 that you believe in?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) Ending the
3 occupation.

4 Q. Anything else?

5 A. (Translator.) There is nothing
6 more important than that.

7 Q. Ending the occupation of what?

8 A. (Translator.) Ending the
9 Israeli occupation, which were occupied in
10 1967.

11 Q. Is it your testimony, sir, that
12 the goal of Fatah is only ending the
13 occupation of the lands that were conquered
14 by Israel in 1967?

15 A. (Translator.) And establishing
16 a democratic Palestinian state.

17 Q. Does Fatah have a goal
18 regarding the lands that became known as
19 the State Fatah Israel in 1948?

20 A. (Translator.) Fatah believes
21 in establishing a two-state solution and
22 establishing two states for two nations,
23 for the Palestinian nation and for the
24 Israeli nation.

25 Q. When you became a member of

1 HUSSEIN AL SHEIKH

2 Fatah, were you required to take some form
3 of oath of Office?

4 A. (Translator.) No, I was not
5 requested to do so.

6 Q. Whether or not you were
7 requested to do so, did you do so?

8 A. (Translator.) No, I did not.

9 Q. Have the goals of Fatah
10 remained the same ever since you were 16
11 years old, when you joined Fatah?

12 A. (Translator.) Basically yes,
13 they remained the same.

14 Q. When you joined Fatah, it was
15 in 1986; is that correct?

16 A. (Translator.) I joined Fatah
17 around 1976, 1977.

18 Q. You were born in 1960?

19 A. (Translator.) Yes.

20 Q. You were 16 in 1976?

21 A. (Translator.) Correct.

22 Q. In 1976, when you joined Fatah,
23 did Fatah have as its goal the two-states
24 solution for the Jews and the Arabs?

25 A. (Translator.) Yes.

1 HUSSEIN AL SHEIKH

2 Q. Did Fatah at any time have a
3 policy calling for the removal of the
4 Jewish state of Israel?

5 A. (Translator.) This is before
6 1973.

7 Q. Before 1973 Fatah had such a
8 policy?

9 A. (Translator.) Yes.

10 Q. You believe that policy was
11 changed in 1973?

12 A. (Translator.) Of course, and
13 there are official resolutions concerning
14 that.

15 Q. Do you know where I might be
16 able to find those official resolutions?

17 A. (Translator.) You can refer to
18 the protocols and resolutions and the
19 general meetings and central meetings of
20 the PLO.

21 Q. Who has copies of those
22 documents, that you know?

23 A. (Translator.) These are
24 resolutions which are issued by the
25 Palestinian leadership.

1 HUSSEIN AL SHEIKH

2 Q. You referred a moment ago to
3 the PLO, but I'm referring specifically to
4 Fatah.

5 A. (Translator.) I am answering
6 concerning Fatah.

7 Q. Who is the head of Fatah today?

8 A. (Translator.) The President
9 Machmud Abas.

10 Q. Do you believe that President
11 Abas would have the documents that you are
12 referring to?

13 A. (Translator.) Of course.

14 Q. When you say he is the
15 President, he is the President of the
16 Palestinian Authority, correct?

17 A. (Translator.) He is the
18 general leader of Fatah and also the
19 President of the Palestinian people.

20 Q. Does he have a title in the
21 PLO?

22 A. (Translator.) He is the
23 chairman of the Executive Committee of the
24 PLO.

25 Q. Does that mean that he is the

1 HUSSEIN AL SHEIKH

2 highest ranking person in the PLO?

3 A. (Translator.) Yes.

4 Q. In your capacity as Minister of
5 Palestinian Civil Affairs, have you had
6 occasion to take any trips overseas?

7 A. (Translator.) No.

8 Q. I'm not asking again about your
9 trips to Tunis. Have you taken any travel
10 overseas on behalf of Fatah at any time?

11 A. (Translator.) No, at no time.

12 Q. The Civil Affairs Authority
13 that we have discussed earlier, does it
14 have a budget?

15 A. (Translator.) Yes.

16 Q. Is that budget part of the
17 overall budget of the Palestinian
18 Authority?

19 A. (Translator.) Yes.

20 Q. Would the same be true for all
21 the Ministries, that their budget is part
22 of the Palestinian Affairs Authority?

23 A. (Translator.) Of course.

24 MR. McALEER: You asked two
25 questions. The first one was the

1 HUSSEIN AL SHEIKH

2 Palestinian Authority, and then he
3 said would that be true concerning
4 other Ministries.

5 Q. What is the budget of the Civil
6 Affairs Authority?

7 A. (Translator.) 400,000 shekels
8 yearly.

9 Q. How many people are employed
10 altogether by the Civil Affairs Authority?

11 A. (Translator.) About 490.

12 Q. Are the employees of the Civil
13 Affairs Authority paid from the budget of
14 the Civil Affairs Authority?

15 A. (Translator.) Of course not.

16 Q. That explains why nobody is
17 working for \$1,000 shekels a year.

18 How are the salaries of the
19 employees of the Civil Affairs Authority
20 paid?

21 A. (Translator.) From the
22 Ministry of Finance.

23 Q. I see.

24 Why are the employees paid from
25 the Ministry of Finance and not from the

1 HUSSEIN AL SHEIKH

2 budget of the Civil Affairs Authority?

3 A. (Translator.) The Ministry of
4 Finance pays to all the employees and
5 workers of the Palestinian Authority.

6 Q. Is that something special for
7 the Civil Affairs Authority or is that for
8 all of the ministries?

9 A. (Translator.) What is --

10 Q. I'm sorry. I'll clarify.

11 You told us that the employees
12 of the Civil Affairs Authority are paid by
13 the Ministry of Finance. What I'm asking,
14 are the employees of all the Authorities
15 and Ministries paid by the Ministry of
16 Finance?

17 A. (Translator.) Yes, this is
18 what I said.

19 Q. Who pays your salary?

20 A. (Translator.) Finance
21 Minister.

22 Q. And that is true of all the
23 other ministers?

24 A. (Translator.) Correct.

25 Q. Because of the difficult

1 HUSSEIN AL SHEIKH
2 terminology by ministers, I mean the heads
3 of the Ministries from the Prime Minister's
4 office and the heads of the Authorities
5 from the president's office.

6 A. (Translator.) Even the
7 President receives his salary from the
8 Finance Ministry.

9 MR. McALEER: Excuse me.
10 Perhaps you could give us a proffer
11 of the relevance of this line of
12 questioning. I think this line of
13 questioning is a waste of time.

14 Q. Do you have a written
15 employment agreement?

16 A. (Translator.) With whom.

17 Q. With the Palestinian Authority.

18 A. (Translator.) Of course.

19 Q. I just want to clarify. You
20 said that the Civil Affairs Administration
21 coordinates with the Israeli side.

22 A. (Translator.) Yes.

23 Q. Are those meetings with the
24 Israeli side conducted by people who work
25 for you or by you yourself?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) It is both,
3 because me and the Israeli side and my
4 representatives also put down and draw the
5 strategies for work.

6 Q. So sometimes it is people who
7 work for you and sometimes it is you
8 yourself, correct.

9 A. (Translator.) Again I clarify,
10 I draw down the political strategy and I
11 conduct strategical agreements with the
12 Israeli side, and those who execute these
13 strategies are the staff that works for me
14 and for the Israeli side.

15 Q. When you, or people who work
16 for you, meet with the Israeli side, where
17 are these meetings taking place?

18 A. (Translator.) Here, for
19 example, in this hotel. Sometimes in Tel
20 Aviv, sometimes in Bet El, or in the Plaza
21 Hotel.

22 Q. Is Bet El a military base?

23 A. (Translator.) Bet El is the
24 military general command in the West Bank.

25 Q. Is it fair to say that all of

1 HUSSEIN AL SHEIKH

2 these meetings between yourself or the
3 people who work for you and the Israeli
4 side are for the purpose of trying to
5 negotiate agreements as to various issues?

6 A. (Translator.) In order to
7 maintain and make sure that the agreements
8 are fulfilled and for fighting terrorism.

9 Q. How often do those meetings
10 take place either between you or people who
11 work for you and the Israeli side?

12 A. (Translator.) According to the
13 necessity and need. Sometimes it might be
14 every week, sometimes every day.

15 Q. That just depends on whatever
16 the issues are at the moment?

17 A. (Translator.) There are daily
18 issues between us and the Israelis.

19 Q. Sometimes do you discuss these
20 issues with the Israelis by telephone or
21 fax besides meeting face to face?

22 A. (Translator.) Correct.

23 Q. Overall, have your negotiations
24 with the Israeli side been successful,
25 unsuccessful? Can you please describe

1 HUSSEIN AL SHEIKH

2 them?

3 A. (Translator.) The work between
4 the Israelis and us, there is total
5 disclosure on it. There are highly
6 classified issues with the Israelis that I
7 cannot talk about.

8 Q. I'm not asking you to discuss
9 highly classified information that you are
10 not permitted to talk about. I'm asking,
11 in general, would you characterize the
12 discussions as successful or unsuccessful,
13 or something else?

14 MR. McALEER: Objection, you
15 can answer.

16 A. (Translator.) Do I have to
17 answer?

18 Q. Yes.

19 A. (Translator.) Sometimes we
20 succeed and sometimes not. We face many
21 obstacles and this is a very complicated
22 issue. We are facing interests of two
23 nations, two peoples. But in general, I am
24 very satisfied with the progress that has
25 been achieved.

1 HUSSEIN AL SHEIKH

2 Q. In the progress that you're
3 talking about, have you managed to reach
4 agreements with the Israelis as to various
5 issues?

6 A. (Translator.) Yes, many.

7 Q. The agreements that your office
8 reaches with Israel, are they in writing
9 anywhere? Are they published? Are they
10 available to the public?

11 A. (Translator.) There are things
12 which are published and others which are
13 not. Those which relate to security and
14 terrorism are not published.

15 Q. The ones which are published,
16 where can I find them?

17 A. (Translator.) On our website
18 you can find them.

19 Q. Could you quantify
20 approximately how many agreements are
21 reached between your office and the Israelis
22 each month?

23 A. (Translator.) I cannot count
24 them. There are many and in different
25 fields.

1 HUSSEIN AL SHEIKH

2 Q. Would you say it is dozens or
3 hundreds?

4 A. (Translator.) Dozens.

5 Q. Have you as Minister of
6 Palestinian Civil Affairs, have you met
7 with representatives of any foreign
8 governments?

9 A. (Translator.) Of course.

10 Q. What is the purpose of meeting
11 with representatives of foreign
12 governments?

13 A. (Translator.) These were sides
14 who were working on bringing close the
15 relations between us and the Israelis.

16 Q. What is the purpose of you
17 meeting with those representatives instead
18 of, for example, the Foreign Minister?

19 A. (Translator.) Because within
20 my duties of work, line of work, I am very
21 much occupied with the sensitivities
22 concerning the relations with the Israelis.
23 We can say the bigger part of the Israeli
24 relations file is within my hands, in my
25 capacity.

1 HUSSEIN AL SHEIKH

2 Q. Besides meeting with
3 representatives of foreign governments, do
4 you also meet with representatives of
5 international organizations?

6 A. (Translator.) Yes.

7 Q. For example, which
8 organizations?

9 A. (Translator.) The UN and the
10 Red Cross.

11 Q. Is there any particular
12 organization within the UN that you meet
13 with?

14 A. (Translator.) I meet with the
15 Relief Organization, UNRWA.

16 Q. United Nations Relief and Work
17 Agency. Is it fair to say that in all that
18 you do as the Minister of Palestinian Civil
19 Affairs, you act for the benefit of the
20 Palestinian Authority?

21 MR. McALEER: Objection as to
22 the form.

23 Q. You can answer.

24 A. (Translator.) Of course I
25 serve the Palestinian people and the PA.

1 HUSSEIN AL SHEIKH

2 And not only the Palestinian people and the
3 PA, but I also serve the future of the
4 peace process between us and the Israelis.

5 Q. Are you familiar with somebody
6 named Moshe Saperstein?

7 A. (Translator.) No.

8 Q. Are you aware that somebody
9 name Moshe Saperstein has brought a lawsuit
10 against the Palestinian Authority?

11 A. (Translator.) No, I did not
12 know until I met the law firm here.

13 Q. Until you met which lawyer?

14 A. (Translator.) Not clear,
15 Charles?

16 Q. You are referring to the
17 gentleman sitting next to you?

18 A. (Translator.) Yes, correct.

19 Q. Is it fair to say that you have
20 no interest in helping Mr. Saperstein to
21 win his lawsuit?

22 MR. McALEER: I object to the
23 form of that question and its
24 relevance.

25 MR. TOLCHIN: You know that

1 HUSSEIN AL SHEIKH

2 relevance is not a proper objection
3 in a federal deposition.

4 MR. McALEER: I think I have to
5 make that point for the record. The
6 question is really improper.

7 MR. TOLCHIN: What is wrong
8 with the form of the question?

9 MR. HIBEY: Among other things
10 it is argumentative. That is just
11 one aspect in which it is in an
12 improper form, as I suspect you know.

13 MR. TOLCHIN: My silence does
14 not indicate agreement.

15 Q. Back to the question, sir. Can
16 you answer my question?

17 A. (Translator.) I did not hear
18 the question.

19 Q. Do you, sir, have any interest
20 in helping Mr. Saperstein to win his
21 lawsuit against the Palestinian Authority?

22 MR. McALEER: I think I'm going
23 to object. I'm even going to
24 instruct the witness not to answer.

25 MR. TOLCHIN: Why is that?

1 HUSSEIN AL SHEIKH

2 MR. HIBEY: Because he swore to
3 tell the truth, and that is the oath
4 under which he is testifying. And
5 the word "interest" in the context of
6 this question is ambiguous and
7 difficult to appreciate, and
8 therefore I think it's a question
9 that, because of its formulation has
10 argumentative roots, and is something
11 that I instruct him not to answer.

12 MR. TOLCHIN: Withdraw the
13 objection you raised in Court to this
14 witness's testimony binding the
15 Palestinian Authority?

16 MR. HIBEY: No, not at all.
17 But the important point here is that
18 his particular function today is
19 totally different than his position
20 at the time of the incident involving
21 Mr. Saperstein, which I think was
22 around February 2002. Therefore it
23 does not seem to me to be relevant at
24 all, what you're pursuing in terms of
25 attempting to understand this man's

1 HUSSEIN AL SHEIKH
2 role today in the Palestinian
3 Authority, a role he did not have in
4 2002.

5 MR. TOLCHIN: Are you aware,
6 Mr. Hibey, that one of the factors
7 that the Court can consider, and the
8 Court must consider in deciding
9 whether the witness's testimony will
10 bind his organizational employer, is
11 whether the witness can be expected
12 to identify with the interests of the
13 organization rather than the
14 interests of other parties?

15 MR. HIBEY: Yes, but I think
16 also that those factors apply to the
17 circumstances involving the
18 underlying suit which here is a claim
19 for damages by Mr. Saperstein for
20 what occurred in February of 2002.

21 MR. TOLCHIN: But he is
22 testifying today.

23 MR. HIBEY: That is correct,
24 but not in terms of what his position
25 is today. So if you are attempting

1 HUSSEIN AL SHEIKH

2 to make a point that he is an
3 Officer, a Director, or managing
4 agent of the Palestinian Authority,
5 we have the unusual circumstance of
6 him holding a ministerial position
7 today, something you have explored at
8 length. But it does not prove the
9 essential proposition of the
10 relationship of that information
11 which you derived to the incident in
12 question.

13 MR. TOLCHIN: Mr. Hibey, would
14 you agree that the prime Minister
15 binds the PA? If the prime Minister
16 were here testifying, would that bind
17 the PA? Because the prime Minister
18 was not the prime Minister in 2002
19 either. By your formulation nobody
20 in office today can bind the PA about
21 something that happened a few years
22 ago because governments change.

23 MR. HIBEY: Governments do
24 change.

25 MR. TOLCHIN: That is absurd.

1 HUSSEIN AL SHEIKH

2 MR. HIBEY: I think it is
3 important for us to observe the
4 requirements of these different rules
5 and of the case law that has
6 developed with respect to those
7 rules.

8 MR. TOLCHIN: Are you referring
9 me to a particular case when you are
10 directing the witness not to answer,
11 which is explicitly in contravention
12 of the local rules of the Southern
13 District of Florida?

14 MR. HIBEY: In contravention of
15 what rule?

16 MR. TOLCHIN: The local rules
17 which bar directions not to answer
18 when there is no privilege being
19 raised.

20 MR. HIBEY: What we have done,
21 unfortunately, is indulge you
22 considerably with the kinds of
23 questions that you put to the
24 witness. I thought that there was
25 something. I asked for a proffer on

1 HUSSEIN AL SHEIKH

2 relevance; I never got it. I have
3 been patient with this. I do not
4 understand where you are going. I
5 think the only way this might be
6 addressed further is if you want to
7 put this to the judge.

8 MR. TOLCHIN: I think we will,
9 but we are going to save up all your
10 directions not to answer, or at least
11 a few of them.

12 MR. HIBEY: How many directions
13 have I given?

14 MR. TOLCHIN: Well, so far
15 none, but now I think you have
16 reached a point where you are
17 starting to obstruct the deposition,
18 so we are going to see how you
19 conduct yourself from now forward to
20 see if I am right, and I hope you
21 prove me wrong.

22 MR. HIBEY: My instruction is
23 obstructed with an attempt to bring a
24 little sanity to your line of
25 questioning.

1 HUSSEIN AL SHEIKH

2 Q. Sir, during the break, did you
3 have an opportunity to verify the website
4 address of the Civil Affairs Authority?

5 A. (Translator.) Yes.

6 Q. What is the website address?

7 MR. SAADI: It is

8 www.mca.gov.ps.

9 Q. That is the website that we
10 discussed earlier that Mr. Abu Jundi
11 supervises on behalf of your authority?

12 A. (Translator.) Yes.

13 Q. Sir, you were a member of Fatah
14 for approximately the last 33 years; is
15 that correct?

16 A. (Translator.) Approximately,
17 yes.

18 Q. Other than the position that
19 you were elected to as Secretary of Fatah
20 from 1999 to 2005, have you ever held any
21 other positions within Fatah?

22 A. (Translator.) No, only this
23 position.

24 Q. I'm referring specifically to
25 the period of 2000 to 2004. Spanning that

1 HUSSEIN AL SHEIKH

2 period of years, can you explain to me what
3 was the organizational structure of Fatah?

4 A. (Translator.) We had a general
5 commander Yasser Arafat. Beneath it the
6 Central Committee, beneath it the
7 Revolutionary Council, and beneath it the
8 leadership in the West Bank and the
9 leadership of Gaza. And then comes the
10 leadership of Fatah in the different areas.
11 This is the structure.

12 Q. When you referred to the
13 Central Committee, who were the members of
14 the Central Committee? And all these
15 questions are about the period of 2000 to
16 2004. And I just want to say that if it
17 changed during that period, you can tell me
18 that. I'm not trying to put words in your
19 mouth.

20 A. (Translator.) Nothing is
21 secretive about it. Yasser Arafat was.

22 Q. He was both the general
23 commander and a member of the Central
24 Committee?

25 A. (Translator.) Yes, of course.

1 HUSSEIN AL SHEIKH

2 Mahmoud Abbas, Ahmed Qurei, Hani el Hassan,
3 Abdel Zaki, Hakam Balau, Faruk el Kadoumi,
4 Mohammed el Nem, El Taisar el Wazir, Nabil
5 Shaath. These were the members of the
6 Central Committee. Maybe I forget someone.

7 Q. How were the members of the
8 Central Committee chosen?

9 A. (Translator.) Through
10 elections from the general conference of
11 Fatah.

12 Q. What is the general conference
13 of Fatah?

14 A. (Translator.) These are
15 representatives of the different frames,
16 unions, and groups of Fatah internationally
17 and nationally. The last time that it was
18 convened was in 1989, 20 years ago.

19 Q. So all of these names that you
20 have told me were in the Central Committee
21 between 2000 and 2004, had been there since
22 1989?

23 A. (Translator.) Correct.

24 Q. You referred to the
25 Revolutionary Council. How many members

1 HUSSEIN AL SHEIKH

2 were there in the Revolutionary Council?

3 A. (Translator.) 120.

4 Q. How were those members chosen?

5 A. (Translator.) Through the
6 general conference as well.

7 Q. 120 is a lot of members. Was
8 there a leadership within the Revolutionary
9 Council?

10 A. (Translator.) They meet
11 according to necessity. They assemble
12 every two months, three months.

13 Q. Did the Revolutionary Council
14 have a Director, President, head?

15 A. (Translator.) The leadership
16 was first Yasser Arafat, then Abu Mazen.
17 But you have to understand that the Central
18 Committee is part of the Revolutionary
19 Council.

20 Q. I want to clarify that. You
21 told us earlier that the general commander
22 was Yasser Arafat. Under him was the
23 Central Committee and under him was the
24 Revolutionary Council. But now you seem to
25 be telling me that the Central Committee

1 HUSSEIN AL SHEIKH

2 was part of the Revolutionary Council.

3 A. (Translator.) The Central
4 Committee is part of the Revolutionary
5 Council. And not the opposite. A member
6 of the Revolutionary Council is not
7 necessarily a member of the Central
8 Committee.

9 Q. Would it be a fair parallel to
10 say that the Central Committee was similar
11 to the Cabinet and the Revolutionary
12 Council was similar to the Cabinet, and the
13 Revolutionary Council was similar to the
14 Knesset, for lack of a better comparison?

15 Forget the question. It's not
16 a good question.

17 You referred to the leadership
18 in the West Bank and Gaza. How many
19 individuals were involved in that
20 leadership?

21 A. (Translator.) In the West Bank
22 about 70. I do not know how many in Gaza.

23 Q. How was the membership of that
24 leadership selected?

25 A. (Translator.) Through

1 HUSSEIN AL SHEIKH

2 elections.

3 Q. Elections among who?

4 A. (Translator.) Among members of
5 Fatah in the different areas.

6 Q. Was that also through the
7 general conference of Fatah?

8 A. (Translator.) Of course not.
9 I asserted that the general conference has
10 not assembled since 1989.

11 Q. Does that mean that the
12 leadership in the West Bank and Gaza did
13 not get elected since 1989, or was the
14 leadership elected by some other group?

15 A. (Translator.) Again to
16 clarify, the general conference is for all
17 Fatah members. When I speak about the West
18 Bank, I am talking about that it is elected
19 by the different districts such as Ariha,
20 Jenin, Khalil-Hebron.

21 Q. What was the process by which
22 the leadership of Fatah was elected? Were
23 there campaigns? Were there elections and
24 voting booths?

25 A. (Translator.) Of course, there

1 HUSSEIN AL SHEIKH

2 were election booths and boxes.

3 Q. Only members of Fatah can vote?

4 A. (Translator.) Yes.

5 Q. In the last level you told us
6 about, you said there was leadership in
7 different areas?

8 A. (Translator.) Yes.

9 Q. How many individuals are we
10 talking about there?

11 A. (Translator.) Thousands.

12 Q. Were there so many because
13 there were individuals in every town and
14 village?

15 A. (Translator.) Of course.

16 Q. How were those individuals
17 selected?

18 A. (Translator.) Through
19 elections. Through the election boxes.

20 Q. Local elections in towns and
21 villages?

22 A. (Translator.) Yes.

23 Q. Up until now you have told us
24 about the overall organizational structure.

25 Were there also officers of Fatah besides

1 HUSSEIN AL SHEIKH

2 Mr. Arafat? Again I'm referring to 2000 to
3 2004. In the time of 2000-2004, did the
4 Fatah have officers, for example,
5 President, Vice President, prime Minister,
6 Director, manager, minister, anything like
7 that?

8 A. (Translator.) What does the
9 ministers have to do with Fatah? I am not
10 talking about the PA or the PLO. I said
11 that the leader of Fatah was Yasser Arafat,
12 and he had the Central Committee.

13 Q. Did Arafat have a title in
14 Fatah?

15 A. (Translator.) The general
16 commander.

17 Q. Was there an assistant general
18 commander?

19 A. (Translator.) There are no
20 assistants for the general commander.

21 Q. You were the secretary of Fatah
22 later, in the West Bank. In the period of
23 2000 to 2004, was there a secretary of
24 Fatah.

25 A. (Translator.) I was.

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2 MR. TOLCHIN: We have two
3 minutes on the tape, I'm told, so we
4 have to take a tape-changing break.

5 MS. GITLIN: We are ending this
6 tape at 5:38 p.m.

7 (A recess transpired.)

8 MS. GITLIN: This is tape
9 number 5. It is 5:48 p.m. This is
10 the Commissioner Amy Gitlin. My
11 business address is Nahal Katlav 7/3
12 Bet Shemesh, Israel. This deposition
13 of Hussein al Sheikh is being taken
14 in Jerusalem, Israel, on April 1,
15 2009.

16 Q. Besides yourself, sir, were
17 there other Secretaries of Fatah in the
18 period of 2000 to 2004?

19 A. (Translator.) I and Marwan.

20 Q. Forgive me but did we mention
21 Marwan before?

22 A. (Translator.) I went for the
23 elections against him.

24 Q. And you won?

25 A. (Translator.) Of course.

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2 Q. So you were the only secretary,
3 not him?

4 A. (Translator.) I was elected,
5 but he was also calling himself the
6 secretary.

7 Q. Was he actually the secretary?

8 A. (Translator.) Yes, of course.

9 Q. How did he become secretary if
10 you were elected?

11 A. (Translator.) He was before
12 me.

13 Q. When you were elected he didn't
14 step down?

15 A. (Translator.) These are Fatah
16 internal issues.

17 Q. What was Marwan's last name?

18 A. (Translator.) Marwan Bargouti.

19 Q. Was there an internal dispute
20 within Fatah about who the secretary was?

21 A. (Translator.) This is an
22 internal issue that I would not like to
23 discuss. What does this have to do with
24 the issue here, the matter?

25 Q. Was the dispute between you and

1 HUSSEIN AL SHEIKH

2 Bargouti as to who is the secretary
3 presented to general commander Arafat?

4 A. (Translator.) This is an
5 internal affair. What does this have to do
6 with this issue?

7 Q. Sir, are you refusing to answer
8 the question?

9 A. (Translator.) This is an
10 internal affair. This is an internal
11 conflict within Fatah. I do not need to
12 speak about it.

13 Q. Are you refusing to answer the
14 question?

15 A. (Translator.) I am clarifying.
16 I am not refusing.

17 Q. Was the dispute between you and
18 Mr. Bargouti presented to General Commander
19 Arafat?

20 A. (Translator.) This is an
21 internal affair of Fatah.

22 Q. Yes, I know that. I'm asking
23 about the internal affairs of Fatah. It's
24 important to us in this case to understand
25 the structure of Fatah and who was in

1 HUSSEIN AL SHEIKH

2 charge.

3 A. (Translator.) I gave you the
4 structure of Fatah and this has nothing to
5 do with the structure of Fatah. Now you
6 are talking about personal issues.

7 Q. I'm talking about the
8 leadership of Fatah to determine who was
9 the secretary of Fatah between 2000 and
10 2004.

11 A. (Translator.) I stated the
12 truth in this issue.

13 Q. During 2000 to 2004, was Mr.
14 Bargouti receiving a salary from Fatah?

15 A. (Translator.) I do not know.

16 Q. Between 2000 and 2004 was Mr.
17 Bargouti receiving a salary from the
18 Palestinian Authority?

19 A. (Translator.) I do not know.

20 Q. Where is Mr. Bargouti today?

21 A. (Translator.) In prison.

22 Q. Besides the position of
23 secretary, were there any other officers of
24 Fatah between 2000 and 2004?

25 A. (Translator.) There was a

1 HUSSEIN AL SHEIKH

2 higher committee for Fatah in the West
3 Bank.

4 Q. What was the name of that
5 higher committee?

6 A. (Translator.) It was the High
7 Committee.

8 Q. You told us before about the
9 Central Committee and the Revolutionary
10 Council. Where did the High Committee fit
11 into that structure?

12 A. (Translator.) This is in the
13 leadership of Fatah in the West Bank, and I
14 already spoke about this, and I stated that
15 its number is 70.

16 Q. That the leadership in the West
17 Bank was 70? Those 70, is that the same as
18 the High Committee for Fatah in the West
19 Bank?

20 A. (Translator.) Correct.

21 Q. So that is one and the same
22 thing?

23 A. (Translator.) What is the same
24 thing?

25 Q. What you called the leadership

1 HUSSEIN AL SHEIKH

2 in the West Bank, comprising 70 people, it
3 is the same thing as the High Committee for
4 Fatah in the West Bank?

5 A. (Translator.) Correct.

6 Q. Thank you.

7 Did Fatah have a Treasurer
8 between 2000 and 2004?

9 A. (Translator.) What do you mean
10 Treasurer?

11 Q. Let me back up. Did Fatah have
12 a budget between 2000 and 2004?

13 A. (Translator.) Of course.

14 Q. What was the source of the
15 money that was used for Fatah's budget?

16 A. (Translator.) I do not know.
17 This is not my field -- it is not my
18 expertise.

19 Q. Who was in charge of
20 supervising Fatah's money?

21 A. (Translator.) Achmed Qurei.

22 Q. Did Mr. Qurei have a title that
23 had something to do with his function of
24 supervising the money of Fatah?

25 A. (Translator.) He is a member

1 HUSSEIN AL SHEIKH

2 of the Central Committee in Fatah, and he
3 is responsible for the finance of Fatah.

4 Q. Was he elected to that
5 position? How did he get that
6 responsibility?

7 A. (Translator.) He was elected
8 in the conference of 1989.

9 Q. Is he known by any nicknames or
10 noms de guerre?

11 A. (Translator.) He is known for
12 Abu Ala, who was previously negotiating
13 with Tzipi Livni.

14 Q. What is Mr. Qurei's job today?

15 A. (Translator.) He is a member
16 of the Central Committee and the head of
17 Palestinian Negotiation Delegation with
18 Israel.

19 Q. He is a member of the Central
20 Committee of Fatah?

21 A. (Translator.) Correct.

22 Q. He is also employed by the
23 Palestinian Authority?

24 A. (Translator.) He has nothing
25 to do with the PA. He belongs only to the

1 HUSSEIN AL SHEIKH

2 PLO, because the PLO is the one who is
3 contacting negotiations with the Israelis.

4 Q. Does Mr. Qurei have a title
5 within the PLO?

6 A. (Translator.) He is a member
7 of the Executive Committee in the PLO.

8 Q. You said that he was the head
9 of the something.

10 A. (Translator.) He is the head
11 of the negotiation delegation team with the
12 Israelis.

13 Q. That is the head of the PLO
14 negotiating team with Israel?

15 A. (Translator.) Correct.

16 Q. Is Mr. Qurei still, to this
17 day, in charge of the finances of Fatah?

18 A. (Translator.) Yes.

19 Q. Does anyone else besides Mr.
20 Qurei, who was a member of the Central
21 Committee, have a particular portfolio
22 within Fatah?

23 A. (Translator.) What kind of
24 portfolio?

25 Q. The way you said that Mr. Qurei